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HOUSE JOURNAL
OF THE
FIFTY-FIRST LEGISLATURE
OF THE
STATE OF MONTANA
VOLUME I

Held in Helena, the Seat of Government
Commencing in Regular Session January 2, 1989
and Ending April 21, 1989

JOHN VINCENT
Speaker of the House

LARRY FASBENDER
Chief Clerk of the House



PUBLISHED BY

Montana Legislative Council

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OFFICERS AND MEMBERS
OF THE MONTANA
HOUSE OF REPRESENTATIVES
1965

HOUSE JOURNAL

OF THE

FIFTY-FIRST LEGISLATURE

OF THE

STATE OF MONTANA

JOHN VINCENT

Speaker of the House

LARRY FASBENDER

Chief Clerk of the House

Vicki Lofthouse

Journal Clerk

Cindy Staley

Asst. Journal Clerk

PUBLISHED BY



Montana Legislative Council

Room 138 State Capitol
Helena, MT 59620

Katherine M. Miller
Journal Technician

Robert B. Person
Executive Director

OFFICERS AND MEMBERS OF THE MONTANA HOUSE OF REPRESENTATIVES 1989

100 Members

52 Democrats

48 Republicans

OFFICERS

| | |
|------------------------------------|-----------------|
| Speaker | John Vincent |
| Speaker Pro Tempore | Kelly Addy |
| Majority Leader | Hal Harper |
| Majority Whip | Joe Quilici |
| Minority Leader | Jack Ramirez |
| Minority Whip | John Mercer |
| Chief Clerk of the House | Larry Fasbender |

MEMBERS

| Name | Residence or Mailing Address | Dist. No. | County of Residence | Party |
|-------------------------|---|--------------|------------------------|------------|
| Aafedt, Ole | 500 34th St. So., Great Falls 59405 | 34 | Cascade | Republican |
| Addy, Kelly | 220 Parkhill Drive, Billings 59101 | 94 | Yellowstone | Democratic |
| Bachini, Bob | 409 19th St., Havre 59501 | 14 | Hill | Democratic |
| Bardenouve, Francis | P.O. Box 367, Harlem 59526 | 16 | Blaine | Democratic |
| Blotkamp, Robert "Robb" | 2 Deer Park, Anaconda 59711 | 66 | Deer Lodge | Democratic |
| Boharski, Wm. E. | P.O. Box 2965, Kalispell 59901 | 4 | Flathead | Republican |
| Bradley, Dorothy M. | 919 W. Lamme, Bozeman 59715 | 79 | Gallatin | Democratic |
| Brooke, Vivian M. | 1610 Madeline Ave., Missoula 59801 | 56 | Missoula | Democratic |
| Brown, Dave | 3040 Ottawa, Butte 59701 | 72 | Silver Bow | Democratic |
| Brown, Jan | 906 Madison Ave., Helena 59601 | 46 | Lewis & Clark | Democratic |
| Campbell, Bud | 471 Lake Hill Road, Deer Lodge 59722 | 48 | Powell | Republican |
| Clark, Robert C. | P.O. Box 262, Ryegate 59074 | 31 | Golden Valley | Republican |
| Cobb, John | P.O. Box 388, Augusta 59410 | 42 | Lewis & Clark | Republican |
| Cocchiarella, Vicki | 535 Livingston Ave., Missoula 59801 | 59 | Missoula | Democratic |
| Cody, Dorothy A. | P.O. Box 973, Wolf Point 59201 | 20 | Roosevelt | Democratic |
| Cohen, Ben | P.O. Box 1657, Whitefish 59937 | 3 | Flathead | Democratic |
| Compton, Duane W. | P.O. Box 1061, Malta 59538 | 17 | Phillips | Republican |
| Connelly, Mary Ellen | 3315 Whitefish Stage, Kalispell 59901 | 8 | Flathead | Democratic |
| Daily, Fred "Fritz" | 1057 W. Steel, Butte 59701 | 69 | Silver Bow | Democratic |
| Darko, Paula A. | P.O. Box 490, Libby 59923 | 2 | Lincoln | Democratic |
| Davis, Ervin | P.O. Box 63, Charlo 59824 | 53 | Lake | Democratic |
| DeBruycker, Roger | RR 1 Box 8, Floweree 59440 | 13 | Chouteau | Republican |
| DeMars, Gene | RR 1 Box 22, Coffee Creek 59424 | 29 | Fergus | Democratic |
| Driscoll, Jerry L. | 4344 Stone St., Billings 59101 | 92 | Yellowstone | Democratic |
| Elliott, Jim | 100 Trout Creek Road, Trout Creek 59874 | 51 | Sanders | Democratic |
| Ellison, Orval S. | HC 59 Box 106, McLeod 59052 | 81 | Park | Republican |
| Eudaily, Ralph S. | 234 Kensington Ave., Missoula 59801 | 60 | Missoula | Republican |
| Gervais, Floyd "Bob" | P.O. Box 1810, Browning 59417 | 9 | Glacier | Democratic |
| Giacometto, Leo A. | P.O. Box 1, Alzada 59311 | 24 | Carter | Republican |
| Gilbert, Bob | P.O. Drawer 1228, Sidney 59270 | 22 | Richland | Republican |
| Glaser, William E. | P.O. Box 1801, Billings 59103 | 98 | Yellowstone | Republican |
| Good, M. Susan | 2717 3rd Ave No., Great Falls 59401 | 36 | Cascade | Republican |
| Gould, R. Budd | 2205 So. Fifth West, Missoula 59801 | 61 | Missoula | Republican |
| Grady, Edward J. | Star Route, Canyon Creek 59633 | 47 | Lewis & Clark | Republican |
| Grinde, Larry Hal | Route 3, Lewistown 59457 | 30 | Fergus | Republican |
| Guthrie, Bert | P.O. Box 541, Choteau 59422 | 11 | Teton | Republican |
| Hannah, Thomas E. | 2228 Beloit, Billings 59102 | 86 | Yellowstone | Republican |
| Hansen, Stella Jean | 841 Woodford, Missoula 59801 | 57 | Missoula | Democratic |
| Hanson, Marian W. | P.O. Box 237, Ashland 59003 | 100 | Powder River | Republican |
| Harper, Hal | 9 Comstock Road, Helena 59601 | 44 | Lewis & Clark | Democratic |
| Harrington, Dan W. | 1201 No. Excelsior, Butte 59701 | 68 | Silver Bow | Democratic |
| Hayne, Harriet | P.O. Box 285, Dupuyer 59432 | 10 | Pondera | Republican |
| Hoffman, Robert E. | P.O. Box 306, Sheridan 59749 | 74 | Madison | Republican |
| Iverson, Dennis | Whitlash 59545 | 12 | Liberty | Republican |

| | | | | |
|-----------------------------|--|----|---------------|------------|
| Johnson, John | 124 Gresham, Glendive 59330 | 23 | Dawson | Democratic |
| Kadas, Mike | 922 Taylor, Missoula 59802 | 55 | Missoula | Democratic |
| Kasten, Betty Lou | SR 277 Box A-14, Brockway 59214 | 28 | McCone | Republican |
| Keller, Vernon V. | HC 55 Box 355, Fishtail 59028 | 83 | Stillwater | Republican |
| Kilpatrick, Thomas E. | 814 1st Ave., Box 546, Laurel 59044 | 85 | Yellowstone | Democratic |
| Kimberley, Bervyl C. "Berv" | 2511 Wyoming Ave., Billings 59102 | 90 | Yellowstone | Democratic |
| Knapp, Roger | P.O. Box 8, Hysham 59038 | 27 | Treasure | Republican |
| Koehnke, Francis | P.O. Box 692, Townsend 59644 | 32 | Broadwater | Democratic |
| Lee, Thomas N. | East Lake Shore, Bigfork 59911 | 49 | Lake | Republican |
| Marks, Robert L. | 302 Lump Gulch, Clancy 59634 | 75 | Jefferson | Republican |
| McCormick, Lloyd J. "Mac" | 326 14th Ave So. #2, Great Falls 59405 | 38 | Cascade | Democratic |
| McDonough, Mary | 816 Parkhill Drive, Billings 59102 | 89 | Yellowstone | Democratic |
| Menahan, William "Red" | 1304 W. 5th St., Anaconda 59711 | 67 | Deer Lodge | Democratic |
| Mercer, John A. | P.O. Box 450, Polson 59860 | 50 | Lake | Republican |
| Moore, Janet | P.O. Box 1017, Condon 59826 | 65 | Missoula | Democratic |
| Nelson, Linda J. | HC 51 Box 30, Medicine Lake 59247 | 19 | Sheridan | Democratic |
| Nelson, Richard M. | 94 Northern Lights Blvd., Kalispell 59901 | 6 | Flathead | Republican |
| Nelson, Thomas E. | 1116 Moon Valley Road, Billings 59105 | 95 | Yellowstone | Republican |
| Nisbet, Jerry | 1401 Park Garden Road, Great Falls 59404 | 35 | Cascade | Democratic |
| O'Connell, Helen G. | 703 4th Ave. SW, Great Falls 59404 | 40 | Cascade | Democratic |
| O'Keefe, Mark | 531 Power St., Helena 59601 | 45 | Lewis & Clark | Democratic |
| Owens, Gaylon F. "Lum" | 535 W. California, Kalispell 59901 | 7 | Flathead | Republican |
| Patterson, John W. | P.O. Box 150, Custer 59024 | 97 | Yellowstone | Republican |
| Pavlovich, Robert J. | 1375 Harrison Ave., Butte 59701 | 70 | Silver Bow | Democratic |
| Peck, Ray | 729 4th Ave, Havre 59501 | 15 | Hill | Democratic |
| Peterson, Mary Lou | Route 1 Box 117, Eureka 59917 | 1 | Lincoln | Republican |
| Phillips, John E. | 1200 32nd St So., #61, Great Falls 59405 | 33 | Cascade | Republican |
| Quilici, Joe | 3040 Kossuth, Butte 59701 | 71 | Silver Bow | Democratic |
| Ramirez, Jack | 4042 Pine Cove Road, Billings 59106 | 87 | Yellowstone | Republican |
| Raney, Bob | 212 So. 6th St., Livingston 59047 | 82 | Park | Democratic |
| Ream, Robert R. | 5950 Wildcat Road, Missoula 59802 | 54 | Missoula | Democratic |
| Rehberg, Dennis R. | 4401 Highway 3, Billings 59106 | 88 | Yellowstone | Republican |
| Rice, Jim | 1525 Williamsburg Road, Helena 59601 | 43 | Lewis & Clark | Republican |
| Roth, Rande K. | 726 Oasis Drive, Billings 59105 | 96 | Yellowstone | Republican |
| Russell, Angela | P.O. Box 333, Lodge Grass 59050 | 99 | Big Horn | Democratic |
| Schye, Ted E. | North Star Route, Glasgow 59230 | 18 | Valley | Democratic |
| Simon, Bruce T. | 217 Clark Ave., Billings 59101 | 91 | Yellowstone | Republican |
| Simpkins, Richard D. | 1221 Park Garden Road, Great Falls 59404 | 39 | Cascade | Republican |
| Smith, Clyde B. | 148 3-Mile Drive, Kalispell 59901 | 5 | Flathead | Republican |
| Spaeth, Gary L. | P.O. Box 193, Joliet 59041 | 84 | Carbon | Democratic |
| Spring, Wilbur, Jr. | 2383 Penwell Bridge Road, Belgrade 59714 | 77 | Gallatin | Republican |
| Squires, Carolyn | 2111 So. 10th St. W., Missoula 59801 | 58 | Missoula | Democratic |
| Stang, Barry "Spook" | 142 Montana Hwy. 135 So., St. Regis 59866 | 52 | Mineral | Democratic |
| Steppler, Don | P.O. Box 429, Brockton 59213 | 21 | Richland | Democratic |
| Stickney, Jessica | 2206 Main St., Miles City 59301 | 26 | Custer | Democratic |
| Strizich, Bill | 736 27th Ave. NE, Great Falls 59404 | 41 | Cascade | Democratic |
| Swift, Bernie | SE 206 Rose Lane, Hamilton 59840 | 64 | Ravalli | Republican |
| Swysgood, Chuck | 506 So. Atlantic, Dillon 59725 | 73 | Beaverhead | Republican |
| Thoft, Bob | 1520 So. Burnt Fork Road, Stevensville 59870 | 63 | Ravalli | Republican |
| Thomas, Fred | 144 Brook Lane, Stevensville 59870 | 62 | Ravalli | Republican |
| Vincent, John | 1020 So. 3rd, Bozeman 59715 | 80 | Gallatin | Democratic |
| Wallin, Norm | 2422 Springcreek Drive, Bozeman 59715 | 78 | Gallatin | Republican |
| Westlake, Vernon L. | 3186 Love Lane, Bozeman 59715 | 76 | Gallatin | Democratic |
| Whalen, Timothy J. | 101 Avenue C, Billings 59101 | 93 | Yellowstone | Democratic |
| Wyatt, Diana E. | 300 31st St So., Great Falls 59405 | 37 | Cascade | Democratic |
| Zook, Tom | c/o Broadus Stage, Miles City 59301 | 25 | Custer | Republican |

HOUSE JOURNAL

OF THE

FIFTY-FIRST LEGISLATURE

OF THE

STATE OF MONTANA

FIRST LEGISLATIVE DAY

Helena, Montana
January 2, 1989

House Chambers
State Capitol

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the 51st Legislature of the State of Montana was called to order by the Honorable Mike Cooney, Secretary of the State of Montana, who extended greetings to the members on behalf of the State of Montana and delivered the following address:

Like all previous Legislatures, this session is very important. This is especially true because the decisions you make during this session will chart the course for the State's second century.

We've come a long way since that first legislature met. As you will recall Montana's first Legislature failed to operate due to disputed election returns from a precinct in a county which will remain nameless. Caucuses of Democrats and Republicans met in different places but failed to organize and function as a Legislature. You can be proud that you have already performed better than the first meeting of the House of Representatives.

As a former member of this body I know you have already given up much to be here, I join all Montanans in commending you for your loyal devotion to our state and nation for giving so generously of your time.

The people of Montana are counting on you to find solutions to the many difficult problems facing us. Through cooperation and hard work . . . common sense will prevail. We have great faith that you will provide the leadership necessary to meet the challenges.

The Posting of the Colors by Captain Larry Field and members of the Montana National Guard and the Pledge of Allegiance to the Flag followed.

The Invocation was given by Reverend Jerry Lowney.

Chief Clerk Larry Fasbender called the roll by districts as follows: District No. 1, Mary Lou Peterson; District No. 2, Paula A. Darko; District No. 3, Ben Cohen; District No. 4, Wm. E. Boharski; District No. 5, Clyde B. Smith; District No. 6, Richard M. Nelson; District No. 7, Lum Owens; District No. 8, Mary Ellen Connelly; District No. 9, Floyd (Bob) Gervais; District No. 10, Harriet Hayne; District No. 11, Bert Guthrie; District No. 12, Dennis Iverson; District No. 13, Roger DeBruycker; District No. 14, Bob Bachini; District No. 15, Ray Peck; District No. 16, Francis Bardanouve; District No. 17, Duane W. Compton; District No. 18, Ted E. Schye; District No. 19, Linda J. Nelson; District No. 20, Dorothy A. Cody; District No. 21, Don Steppeler; District No. 22, Bob Gilbert; District No. 23, John Johnson; District No. 24, Leo A. Giacometto; District No. 25, Tom Zook; District No. 26, Jessica Stickney; District No. 27, Roger Knapp; District No. 28, Betty Lou Kasten; District No. 29, Gene DeMars; District No. 30, Larry Hal Grinde; District No. 31, Robert C. Clark; District No. 32, Francis Koehnke; District No. 33, John E. Phillips; District No. 34, Ole Aafedt; District No. 35, Jerry Nisbet; District No. 36, M. Susan Good; District No. 37, Diana E. Wyatt; District No. 38, Lloyd J. (Mac) McCormick; District No. 39, Richard D. Simpkins; District No. 40, Helen G. O'Connell; District No. 41, Bill Strizich; District No. 42, John Cobb; District No. 43, Jim Rice; District No. 44, Hal Harper; District No. 45, Mark O'Keefe; District No. 46, Jan Brown; District No. 47, Edward J. (Ed) Grady; District No. 48, Bud Campbell; District No. 49, Thomas N. Lee; District No. 50, John A. Mercer; District No. 51, Jim Elliott; District No. 52, Barry "Spook" Stang; District No. 53, Ervin Davis; District No. 54, Bob Ream;

District No. 55, Mike Kadas; District No. 56, Vivian M. Brooke; District No. 57, Stella Jean Hansen; District No. 58, Carolyn Squires; District No. 59, Vicki Cocchiarella; District No. 60, Ralph S. Eudaily; District No. 61, R. Budd Gould; District No. 62, Fred Thomas; District No. 63, Bob Thoft; District No. 64, Bernie Swift; District No. 65, Janet Moore; District No. 66, Robert "Rob" Blotkamp; District No. 67, William (Red) Menahan; District No. 68, Dan W. Harrington; District No. 69, Fred "Fritz" Daily; District No. 70, Robert J. Pavlovich; District No. 71, Joe Quilici; District No. 72, Dave Brown; District No. 73, Chuck Swysgood; District No. 74, Robert E. Hoffman; District No. 75, Robert L. (Bob) Marks; District No. 76, Vernon L. Westlake; District No. 77, Wilbur Spring, Jr.; District No. 78, Norm Wallin; District No. 79, Dorothy M. Bradley; District No. 80, John Vincent; District No. 81, Orval S. Ellison; District No. 82, Bob Raney; District No. 83, Vernon V. Keller; District No. 84, Gary L. Spaeth; District No. 85, Thomas E. (Tom) Kilpatrick; District No. 86, Tom Hannah; District No. 87, Jack Ramirez; District No. 88, Dennis R. Rehberg; District No. 89, Mary McDonough; District No. 90, Berv Kimberley; District No. 91, Bruce T. Simon; District No. 92, Jerry L. Driscoll; District No. 93, Timothy J. Whalen; District No. 94, Kelly Addy; District No. 95, Thomas E. Nelson; District No. 96, Rande K. Roth; District No. 97, John W. Patterson; District No. 98, William E. (Bill) Glaser; District No. 99, Angela Russell; District No. 100, Marian W. Hanson. All members were present.

Secretary of State Cooney then introduced Supreme Court Justice William Hunt who administered the following oath of office:

"I do solemnly swear that I will support, protect, and defend the Constitution of the United States and the Constitution of the State of Montana and that I will discharge the duties of my office as a member of the House of Representatives with fidelity, so help me God."

Secretary of State Cooney called for nominations for Speaker of the House of Representatives. Representative Harper nominated Representative John Vincent, District 80; Representative Mercer nominated Representative Jack Ramirez, District 87. There being no further nominations, nominations were closed and the following roll call votes were cast:

For Representative Vincent:

Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Steppeler, Stickney, Strizich, Westlake, Whalen, Wyatt.
Total: 52

For Representative Ramirez:

Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Zook.
Total: 48

Secretary of State Cooney informed the members of the House of Representatives he had been advised that all oaths of office had been signed and

received. These were presented to Justice Hunt for his acknowledgment and then filed in Secretary of State Cooney's office.

Representative Ramirez moved Representative Vincent be elected Speaker of the House of Representatives by acclamation. Motion carried.

Secretary of State Cooney declared Representative John Vincent, District 80, duly elected as Speaker of the House of Representatives for the 51st Legislature.

Representatives Harper and Ramirez escorted the newly-elected Speaker to the rostrum where he was formally introduced by Secretary of State Cooney and presented with the Speaker's gavel. The Speaker delivered the following address:

ACCEPTANCE SPEECH BY SPEAKER JOHN VINCENT
51ST LEGISLATIVE ASSEMBLY
January 2, 1989

The 1st legislative day in the Montana House of Representatives is always a special occasion, for it brings together representatives of the people who are — given our state's size and population — as close to the people who elected them as any in the nation.

Today is special in other ways as well. In this centennial year of Montana's history, a new and heightened sense of mission is emerging, the realization that now is the time to act . . . the time to move our state boldly and decisively into its second 100 years.

It is also significant that the Montana House is now home to 31 new members, nearly one-third of our membership. New faces, new ideas, and new energy that we can nurture and foster for the good of this assembly and the good of our state. This fresh infusion of talent and energy could not have come at a better time.

Beyond our own house, the political landscape has changed. For the first time in 20 years a Republican governor will head state government. We wish Governor Stephens well, as we look to him for strong leadership that forthrightly addresses the challenges our state faces in education, economic development, the needs of our less fortunate citizens, resource management, and preserving our unique and precious quality of life. The leadership our new governor provides will do much to determine how this centennial session is judged by history.

At the same time, the governor cannot do it all, nor should he. Those of us in the Legislature and in this House have significant and compelling responsibilities as well.

We know what those responsibilities are, as do the people who elected us. Those voters expect us, in no uncertain terms, to meet those responsibilities. They expect us to get the job done and to do it well.

They are saying (to us) that what really matters to them is the business of government, not the gamesmanship of politics . . . and they are saying (in frustrated response to the partisanship that has characterized the legislature in recent years) — that "business as usual" will not do.

To avoid "business as usual" we must keep our partisanship in perspective. We must hammer out bi-partisan solutions, while at the same time honoring those principals we value as Democrats and as Republicans. We must nurture trust rather than invite suspicion. We must work for cooperation rather than plan for confrontation.

Cooperation does not mean — nor should it mean — the absence of disagreement and debate. Our system would soon fail us without the vital give and take that our two party system allows and responsible partisan debate provides.

So our challenge is to accommodate the realities and value of partisanship while we work to reconcile our differences for the good of our state and all its people.

It will take hard work. It will require negotiation, understanding and compromise. It will demand that we call upon the best of what we are and the best of what we can be.

In this spirit, I want to take a first step today, a step I hope will help set the tenor and direction of this session.

I will establish within the next few days the House Select Committee on Education Funding to address the Loble decision and what we can do to provide all our young people with first rate educational opportunities.

The Select Committee membership will not be divided on a majority basis, but will be comprised of 4 Democrats and 4 Republicans, 8 members of this House who will face — and hopefully meet — the challenge of setting aside partisan politics and developing, instead, bi-partisan consensus.

I take this step because I feel strongly that the issue of education funding is simply too important to become embroiled in politics; for the quality of our education system represents — in the final analysis — the quality of our future. It is nothing less than our legacy to, and our investment in, the young people of Montana who are that future.

It is my purpose — and my hope — that equal party representation on the Select Committee will help bring about the kind of cooperation we will need to address this crucial issue in a manner that befits its importance. The opportunity is ours.

It has been said that a politician is someone who shakes your hand before an election and your confidence afterwards. We can, indeed — we must — over the next 90 days, prove that this is not the case.

We can do it if we remember the admonition of Franklin Roosevelt that

“ . . . The future lies with those wise politicians who realize that the public is interested more in government than (it is) in politics.”

We can do it if we work together to be the best we can be. Thank you.

Representative Quilici moved the following individuals be nominated as officers of the House of Representatives for the 51st Legislature:

Speaker Pro Tem — Representative Kelly Addy
Majority Leader — Representative Hal Harper
Chief Clerk — Larry Fasbender
Sergeant-at-Arms — Linda Carlson

Representative Ramirez moved a unanimous ballot be cast for the previously named members. Motion carried.

Representative Harper moved the temporary rules of the Legislature be the Joint Rules of the House and Senate of the 50th Legislature with the exceptions of Joint Rules 6-1(1), 6-34, 7-6(2), and the following changes to Joint Rule 4-1, Orders of Business, as follows:

- Order of Business No. 1 — Communications and Petitions
- Order of Business No. 2 — Reports of Standing Committees
- Order of Business No. 3 — Reports of Select Committees
- Order of Business No. 4 — Messages from the Senate
- Order of Business No. 5 — Messages from the Governor
- Order of Business No. 6 — First Reading and Commitment of Bills
- Order of Business No. 7 — Second Reading of Bills
- Order of Business No. 8 — Third Reading of Bills
- Order of Business No. 9 — Motions
- Order of Business No. 10 — Unfinished Business
- Order of Business No. 11 — Special Orders of the Day
- Order of Business No. 12 — Announcement of Committee Meetings

Motion carried.

Representative Harper moved the temporary rules of the House be the House Rules of the 50th Legislature. Motion carried.

Representative Harper moved the Speaker appoint a committee of four members to notify the Governor the House is now organized and ready for business. Motion carried.

Speaker Vincent appointed Representatives Bardanouve, Moore, Marks, and Hayne.

Representative Harper moved the Speaker appoint a committee of four members to notify the Senate the House is now organized and ready for business. Motion carried.

Speaker Vincent appointed Representatives Daily, O'Connell, Ellison, and M. Hanson.

Representative Harper moved the Speaker appoint a committee of four members to notify the Supreme Court by phone, followed by a letter, that the House is now organized and ready for business. Motion carried.

Speaker Vincent appointed Representatives Addy, Russell, Mercer, and Peterson.

The committees were discharged from the chamber.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Senators Farrell, Van Valkenburg, and Aklestad was admitted and reported to the House that the Senate was organized and ready for any legislation the House might care to send it.

The committee appointed to notify the Supreme Court that the House is ready for business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Senate that the House is ready for business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Governor that the House is ready for business reported it had done so. The committee was thanked and discharged.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

- HB 1**, introduced by Harrington (by request of the Revenue Oversight Committee), referred to Committee on Taxation
- HB 2**, introduced by Marks (by request of the Legislative Council), referred to Committee on State Administration
- HB 3**, introduced by Harrington, referred to Committee on Taxation
- HB 4**, introduced by D. Brown (by request of the Coal Tax Oversight Subcommittee), referred to Committee on Taxation
- HB 5**, introduced by Eudaily (by request of the Code Commissioner), referred to Committee on State Administration
- HB 6**, introduced by Pavlovich, referred to Committee on Fish and Game
- HB 7**, introduced by Peck, referred to Committee on Fish and Game
- HB 8**, introduced by Swysgood, referred to Committee on Highways and Transportation
- HB 9**, introduced by Peck, referred to Committee on Education and Cultural Resources
- HB 10**, introduced by Kadas, referred to Committee on Taxation
- HB 11**, introduced by Bradley, referred to Committee on State Administration
- HB 12**, introduced by Pavlovich, referred to Committee on Taxation
- HB 13**, introduced by Quilici (by request of the Board of Crime Control), referred to Committee on Judiciary
- HB 14**, introduced by Cobb, referred to Committee on Education and Cultural Resources
- HB 15**, introduced by Kadas, referred to Committee on Taxation
- HB 16**, introduced by Driscoll (by request of the Department of Labor and Industry), referred to Committee on Business and Economic Development
- HB 17**, introduced by Squires, referred to Committee on Local Government
- HB 18**, introduced by Swysgood, referred to Committee on Agriculture, Livestock, and Irrigation
- HB 19**, introduced by Swysgood, referred to Committee on Business and Economic Development
- HB 20**, introduced by D. Brown, referred to Committee on Education and Cultural Resources
- HB 21**, introduced by Marks (by request of Governor Stephens), referred to Committee on Labor and Employment Relations
- HB 22**, introduced by Brooke, referred to Committee on Local Government
- HB 23**, introduced by Brooke, referred to Committee on Local Government
- HB 24**, introduced by Brooke, referred to Committee on Local Government
- HB 25**, introduced by O'Keefe, referred to Committee on Highways and Transportation
- HB 26**, introduced by Peck, referred to Committee on State Administration
- HB 27**, introduced by Cody, referred to Committee on Judiciary
- HB 28**, introduced by Harrington, referred to Committee on Labor and Employment Relations
- HB 29**, introduced by Harrington, referred to Committee on Taxation
- HB 30**, introduced by Kadas, Halligan, referred to Committee on Taxation
- HB 31**, introduced by Bradley, referred to Committee on Judiciary
- HB 32**, introduced by Daily, referred to Committee on Education and Cultural Resources

- HB 33**, introduced by Pavlovich, referred to Committee on Human Services and Aging
HB 34, introduced by Harrington, referred to Committee on Taxation
HB 35, introduced by Harrington, referred to Committee on Taxation
HB 36, introduced by Schye, referred to Committee on State Administration
HB 37, introduced by Cohen, referred to Committee on Human Services and Aging
HB 38, introduced by Eudaily, referred to Committee on Judiciary
HB 39, introduced by Cobb, referred to Committee on Taxation
HB 40, introduced by Daily, referred to Committee on Rules
HB 41, introduced by Gilbert, referred to Committee on Local Government
HB 42, introduced by Stang, referred to Committee on Judiciary
HB 43, introduced by Boharski, referred to Committee on State Administration
HB 44, introduced by Peck (by request of the Legislative Finance Committee), referred to Committee on Appropriations
HB 45, introduced by Peck (by request of the Legislative Finance Committee), referred to Committee on Appropriations
HB 46, introduced by Peck, referred to Committee on Education and Cultural Resources
HB 47, introduced by Peck, referred to Committee on Appropriations
HB 48, introduced by Ramirez, referred to Committee on Legislative Administration
HB 49, introduced by Cohen, referred to Committee on Labor and Employment Relations
HB 50, introduced by Cobb, referred to Committee on Agriculture, Livestock, and Irrigation
HB 51, introduced by Quilici, referred to Committee on Judiciary
HB 52, introduced by Rehberg (by request of the Legislative Reorganization and Improvement Commission), referred to Committee on Rules
HB 53, introduced by Ramirez (by request of the Department of Revenue), referred to Committee on Taxation
HB 54, introduced by Hanson (by request of the Committee on Indian Affairs), referred to Committee on State Administration
HB 55, introduced by Harrington (by request of the Department of Revenue), referred to Committee on Taxation
HB 56, introduced by Whalen, referred to Committee on Highways and Transportation
HJR 1, introduced by Swift, referred to Committee on Natural Resources
HJR 2, introduced by Peterson, referred to Committee on Highways and Transportation

MOTIONS

Representative Ramirez moved Vincent be added as a sponsor to HB 48.
Motion carried.

SPECIAL ORDERS OF THE DAY

The following committee chairmen and members were appointed:

AGRICULTURE, LIVESTOCK, AND IRRIGATION

Bachini, Bob (D), Chairman
Koehnke, Francis (D), Vice Chairman

DeMars, Gene (D)
Driscoll, Jerry (D)
Elliot, Jim (D)
Nelson, Linda (D)
Ream, Bob (D)
Steppler, Don (D)
Westlake, Vernon (D)

Compton, Duane (R)
Ellison, Orval (R)
Guthrie, Bert (R)
Hanson, Marian (R)
Hayne, Harriet (R)
Kasten, Betty Lou (R)
Keller, Vernon (R)
Patterson, John (R)

APPROPRIATIONS

Bardanoue, Francis (D), Chairman
Spaeth, Gary (D), Vice Chairman

Bradley, Dorothy (D)
Cody, Dorothy (D)
Connelly, Mary Ellen (D)
Kadas, Mike (D)
Kimberley, Berv (D)
Menahan, William "Red" (D)
Nisbet, Jerry (D)
Peck, Ray (D)
Quilici, Joe (D)

Cobb, John (R)
Grady, Ed (R)
Grinde, Larry (R)
Iverson, Dennis (R)
Marks, Bob (R)
Peterson, Mary Lou (R)
Swift, Bernie (R)
Swysgood, Chuck (R)
Thoft, Bob (R)

BUSINESS AND ECONOMIC DEVELOPMENT

Pavlovich, Bob (D), Chairman
DeMars, Gene (D), Vice Chairman

Bachini, Bob (D)
Blotkamp, Rob (D)
Hansen, Stella Jean (D)
Johnson, John (D)
Kilpatrick, Tom (D)
McCormick, Lloyd "Mac" (D)
Steppler, Don (D)

Glaser, Bill (R)
Keller, Vernon (R)
Nelson, Thomas (R)
Simon, Bruce (R)

Smith, Clyde (R)
Thomas, Fred (R)
Wallin, Norm (R)

EDUCATION AND CULTURAL RESOURCES

Schye, Ted (D), Chairman
Daily, Fritz (D), Vice Chairman

Cocchiarella, Vicki (D)
Darko, Paula (D)
Davis, Ervin (D)
Harrington, Dan (D)
Johnson, John (D)
Kilpatrick, Tom (D)
Stang, Barry "Spook" (D)
Wyatt, Diana (D)

Glaser, Bill (R)
Eudaily, Ralph (R)
Nelson, Richard (R)
Phillips, John (R)
Simpkins, Richard (R)
Spring, Jr., Wilbur (R)
Thomas, Fred (R)
Zook, Tom (R)

FISH AND GAME

Ream, Bob (D), Chairman
Elliott, Jim (D), Vice Chairman

Blotkamp, Robert "Rob" (D)
Cohen, Ben (D)
Daily, Fritz (D)
DeMars, Gene (D)
Pavlovich, Bob (D)
Raney, Bob (D)
Strizich, Bill (D)

DeBruycker, Roger (R)
Ellison, Orvall (R)
Eudaily, Ralph (R)
Hanson, Marian (R)
Kasten, Betty Lou (R)
Keller, Vernon (R)
Phillips, John (R)

HIGHWAYS AND TRANSPORTATION

Stang, Barry "Spook" (D), Chairman
Nelson, Linda (D), Vice Chairman

Bachini, Bob (D)
Davis, Ervin (D)
Harrington, Dan (D)
O'Connell, Helen (D)
Steppler, Don (D)
Westlake, Vernon (D)

Aafedt, Ole (R)
Campbell, Budd (R)
Clark, Robert (R)
Owens, Lum (R)
Patterson, John (R)
Roth, Rande (R)
Zook, Tom (R)

HUMAN SERVICES AND AGING

Hansen, Stella Jean (D), Chairman
Strizich, Bill (D), Vice Chairman

Blotkamp, Robert "Bob" (D)
Brown, Jan (D)
McCormick, Lloyd "Mac" (D)
Russell, Angela (D)
Squires, Carolyn (D)
Stickney, Jessica (D)
Whalen, Timothy (D)

Boharski, William (R)
Good, Susan (R)
Gould, Budd (R)
Knapp, Roger (R)
Thomas, Lee (R)
Nelson, Thomas (R)
Simon, Bruce (R)

JUDICIARY

Brown, Dave (D), Chairman
Addy, Kelly (D), Vice Chairman

Brooke, Vivian (D)
Daily, Fritz (D)
Darko, Paula (D)
McDonough, Mary (D)
Nelson, Linda (D)
Stickney, Jessica (D)
Strizich, Bill (D)
Wyatt, Diana (D)

Aafedt, Ole (R)
Boharski, William (R)
Eudaily, Ralph (R)
Gould, Budd (R)
Hannah, Tom (R)
Knapp, Roger (R)
Mercer, John (R)
Rice, Jim (R)

LABOR AND EMPLOYMENT RELATIONS

Russell, Angela (D), Chairman
McCormick, Lloyd "Mac" (D), Vice Chairman

Cocchiarella, Vicki (D)
Driscoll, Jerry (D)

Gervais, Floyd "Bob" (D)
Kilpatrick, Tom (D)
O'Keefe, Mark (D)
Squires, Carolyn (D)
Whalen, Timothy (D)

Compton, Duane (R)
Glaser, Bill (R)
Lee, Thomas (R)
Rice, Jim (R)
Simpkins, Richard (R)
Smith, Clyde (R)
Thomas, Fred (R)

LEGISLATIVE ADMINISTRATION

Menahan, William "Red" (D), Chairman
Kadas, Mike (D), Vice Chairman

Brown, Jan (D)
Vincent, John (D)

Campbell, Bud (R)
Grady, Ed (R)
Marks, Bob (R)

LOCAL GOVERNMENT

Darko, Paula (D), Chairman
McDonough, Mary (D), Vice Chairman

Brooke, Vivian (D)
Brown, Dave (D)
Brown, Jan (D)
Hansen, Stella Jean (D)
Johnson, John (D)
Stickney, Jessica (D)
Wyatt, Diana (D)

Good, Susan (R)
Gould, Budd (R)
Guthrie, Bert (R)
Hoffman, Robert (R)
Nelson, Thomas (R)
Rehberg, Dennis (R)
Wallin, Norm (R)

NATURAL RESOURCES

Raney, Bob (D), Chairman
Cohen, Ben (D), Vice Chairman

Addy, Kelly (D)
Brooke, Vivian (D)
Gervais, Floyd "Bob" (D)
Harper, Hal (D)
McDonough, Mary (D)
Moore, Janet (D)
O'Keefe, Mark (D)

Clark, Robert (R)
Giacometto, Leo (R)
Gilbert, Bob (R)
Hannah, Tom (R)
Owens, Lum (R)
Roth, Rande (R)
Smith, Clyde (R)

RULES

Harper, Hal (D), Chairman
Vincent, John (D), Vice Chairman

Addy, Kelly (D)
Brown, Dave (D)
Driscoll, Jerry (D)
Quilici, Joe (D)

Hannah, Tom (R)
Iverson, Dennis (R)
Mercer, John (R)
Ramirez, Jack (R)

STATE ADMINISTRATION

Brown, Jan (D), Chairman
O'Connell, Helen (D), Vice Chairman

Cocchiarella, Vicki (D)
Davis, Ervin (D)
Gervais, Floyd "Bob" (D)
Moore, Janet (D)
Russell, Angela (D)
Squires, Carolyn (D)
Westlake, Vernon (D)
Whalen, Timothy (D)

Campbell, Bud (R)
Compton, Duane (R)
DeBruycker, Roger (R)
Hayne, Harriet (R)
Nelson, Richard (R)
Phillips, John (R)
Roth, Rande (R)
Spring, Jr., Wilbur (R)

TAXATION

Harrington, Dan (D), Chairman
Ream, Bob (D), Vice Chairman

Cohen, Ben (D)
Driscoll, Jerry (D)
Elliott, Jim (D)
Koehnke, Francis (D)
O'Keefe, Mark (D)
Raney, Bob (D)
Schye, Ted (D)
Stang, Barry "Spook" (D)

Ellison, Orval (R)
Giacometto, Leo (R)
Gilbert, Bob (R)
Good, Susan (R)
Hanson, Marian (R)
Hoffman, Robert (R)
Patterson, John (R)
Rehberg, Dennis (R)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Kelly Stoltz, Valier
Michelle Saindon, Helena
Daniel Willems, Helena
Shawna Champine, Helena
Kurt DeMars, Coffee Creek
Adam Colby, Bigfork
Sean Mennie, Bigfork
Stephanie Keil, Conrad

Speaker Vincent announced additional sponsors may be added to a bill until the first Standing Committee Report is filed.

Speaker Vincent announced only the short titles of bills will be read on third reading.

Speaker Vincent announced the centennial pins included in each member's packet were furnished compliments of the Montana Centennial Office.

Speaker Vincent announced the book, The Press Gang, was furnished to the members compliments of the Montana Newspaper Association.

Representative Harper moved the House adjourn until 1:30 p.m., Tuesday, January 3, 1989.

Motion carried.

House adjourned at 12:55 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SECOND LEGISLATIVE DAY

Helena, Montana
January 3, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION (Menahan, Chairman):

1/3/89

HB 48, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 57, introduced by Marks, referred to Committee on Judiciary

MOTIONS

Representative Harper moved all applicable House rules be temporarily suspended for placement and consideration of HB 48 on second and third readings and transmitted to the Senate this legislative day. Motion carried.

Representative Harper moved HB 48 be placed on second reading this legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Mercer in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 48 - Representative Ramirez moved HB 48 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Connelly.

Total 1

Excused: None.

Total 0

Absent or not voting: Keller, Russell.

Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mercer moved the adoption of the committee report. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 48 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: Connelly.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative D. Brown moved HB 4 be changed to reflect Hanson as chief sponsor. Motion carried.

Representative Peck moved HB 44 be changed to reflect Mercer as chief sponsor and Peck as cosponsor. Motion carried.

Representative Peck moved HB 45 be changed to reflect Mercer as chief sponsor and Peck as cosponsor. Motion carried.

Representative Simon moved his vote on HB 48, third reading, be recorded as yes. Motion carried.

SPECIAL ORDERS OF THE DAY

The following subcommittee chairmen and members were appointed:

APPROPRIATION/FINANCE & CLAIMS JOINT SUBCOMMITTEE

Education

Representative Ray Peck (D), Chairman

Representative Mike Kadas (D)

Representative Bob Marks (R)

Senator H.W. "Swede" Hammond (R), Vice Chairman

Senator Dennis G. Nathe (R)

Senator Paul Boylan (D)

Senator Judy Jacobson (D)

General Government and Highways

Representative Joe Quilici (D), Chairman

Representative Jerry Nisbet (D)

Representative Chuck Swysgood (R)

Senator Larry Tveit (R), Vice Chairman

Senator Lawrence Stimatz (D)

Senator Pat Regan (D)

Human Services

Representative Dorothy Bradley (D), Chairman

Representative Dorothy Cody (D)

Representative John Cobb (R)

Representative Larry Grinde (R)

Senator Thomas Keating (R), Vice Chairman

Senator Sam Hofman (R)

Senator Fred Van Valkenburg (D)

Institutions and Cultural Education

Representative William (Red) Menahan (D), Chairman

Representative Mary Lou Peterson (R)

Representative Ed Grady (R)

Senator Gary Aklestad (R), Vice Chairman

Senator Ethel Harding (R)

Senator Esther Bengtson (D)

Long-Range Planning

Representative Mary Ellen Connelly (D), Chairman

Representative Francis Bardanouve (D)

Representative Bob Thoft (R)

Senator Matt Himsl (R), Vice Chairman

Senator Harry McLane (R)

Senator Richard Manning (D)

Natural Resources

Representative Gary Spaeth (D), Chairman

Representative Berv Kimberley (D)

Representative Dennis Iverson (R)

Representative Bernie Swift (R)

Senator Gerry Devlin (R), Vice Chairman

Senator Loren Jenkins (D)

Senator Greg Jergeson (D)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah advised draft bills which have changes do not have notations indicating new material as they have in the past. However,

the Rules Committee has requested this procedure be changed to correct this problem.

Representative Gould introduced former Representative Melvin Underdahl who was present in the chamber.

Speaker Vincent announced it is the legislators' responsibility to take the lead in getting bills that are ready in the Legislative Council up to his office for introduction as quickly as possible.

Representative Harper moved the House adjourn until 1:30 p.m., Wednesday, January 4, 1989.

Motion carried.

House adjourned at 1:52 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRD LEGISLATIVE DAY

Helena, Montana
January 4, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Darko. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

LOCAL GOVERNMENT (Darko, Chairman):

1/3/89

HB 17, do pass. Report adopted.

HB 41, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND"

2. Title, line 8.

Following: "STATES"

Insert: "AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 7.

Following: line 8

Insert: "NEW SECTION. Section 13. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 58, introduced by Driscoll, referred to Committee on Local Government

HB 59, introduced by Spaeth, referred to Committee on Judiciary

HB 60, introduced by Harrington, referred to Committee on State Administration

HB 61, introduced by Grady, Tveit, Beck, Campbell, O'Keefe, Harper (by request of the Department of Highways), referred to Committee on Highways and Transportation

HB 62, introduced by Hanson, Devlin, referred to Committee on State Administration

HB 63, introduced by Eudaily, referred to Committee on Education and Cultural Resources

HB 64, introduced by Eudaily, referred to Committee on Education and Cultural Resources

HB 65, introduced by Bardanouve, referred to Committee on Appropriations

HJR 3, introduced by Menahan, Vincent (by request of the House Committee on Legislative Administration), referred to Committee on Legislative Administration

MOTIONS

Representative Kadas moved to add the following sponsors to **HB 30**: Ream, Crippen, Severson, Hoffman, Gilbert, Grady, Menahan, Vincent, Stang, Rapp-Svreck, Elliott, Harrington, Spaeth, Iverson, Connelly, and Quilici. Motion carried.

Representative Harrington moved HB 1 be changed to reflect Ramirez as chief sponsor. Motion carried.

Representative Peck moved to add Nathe as a sponsor to HB 7. Motion carried.

Representative Peck moved to add the following sponsors to HB 9: Hammond, Phillips, Davis, Eudaily, and L. Nelson. Motion carried.

Representative Hanson moved to add the following sponsors to HB 54: Nisbet, Gervais, Pinsoneault, Gage, Yellowtail, Cody, and Russell. Motion carried.

Representative Bradley moved to add O'Keefe and Bardanouve as sponsors to HB 11. Motion carried.

Representative Bradley moved to add Cody, J. Brown, and Vaughn as sponsors to HB 31. Motion carried.

Representative Peterson moved to add the following sponsors to HJR 2: Darko, Harp, Owens, Vaughn, R. Nelson, Smith, Cohen, and Connelly. Motion carried.

Representative O'Keefe moved to add the following sponsors to HB 25: Grady, Harper, Moore, Owens, and Connelly. Motion carried.

Representative Whalen moved to add Giacometto as a sponsor to HB 56. Motion carried.

Representative Harrington moved to add the following sponsors to HB 28: Lynch, Daily, Pavlovich, Quilici, Squires, Hansen, Whalen, Driscoll, Kadas, O'Connell, Menahan, McCormick, Jacobson, and Van Valkenburg. Motion carried.

UNFINISHED BUSINESS

Speaker Vincent removed Bob Pavlovich from the Committee on Fish and Game and appointed him to the Committee on Labor and Employment Relations.

Speaker Vincent removed Floyd "Bob" Gervais from the Committee on Labor and Employment Relations and appointed him to the Committee on Fish and Game.

SPECIAL ORDERS OF THE DAY

Speaker Vincent appointed Ted Schye to serve on the Legislative Finance Committee in accordance with Sections 5-12-202 and 5-12-203, MCA.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent announced, beginning the next legislative day under Order of Business No. 12, Announcements, he will be alerting those representatives who have bills at the Legislative Council which have been waiting to be picked up for three days or longer.

Representative Harper moved the House adjourn until 1:30 p.m., Thursday, January 5, 1989.

Motion carried.

House adjourned at 1:45 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FOURTH LEGISLATIVE DAY

Helena, Montana
January 5, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Wallin. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown and Ellison, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/5/89
Correctly printed: HB 17, HB 41, HB 65.

APPROPRIATIONS (Bardanoue, Chairman): 1/4/89
HB 65, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 1/4/89
HB 14, do pass and be placed on consent calendar. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 1/4/89

HB 48, introduced by Ramirez

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 66, introduced by Schye, Harding, referred to Committee on Human Services and Aging

HB 67, introduced by Hansen, referred to Committee on Local Government

HB 68, introduced by Hansen, referred to Committee on State Administration

HB 69, introduced by DeBruycker, Jenkins, Patterson, Keller, Strizich, DeMars, referred to Committee on Judiciary

HB 70, introduced by Driscoll, Giacometto, Thomas, Gilbert, referred to Committee on Judiciary

HB 71, introduced by Whalen (by request of the Commissioner of Political Practices), referred to Committee on State Administration

HJR 4, introduced by Grinde, referred to Committee on State Administration

MOTIONS

Representative Harper moved the rules be suspended for placement and consideration of HB 65 on second and third readings this legislative day. Motion carried.

Representative Harrington moved HB 60 be taken from the Committee on State Administration and rereferred to the Committee on Taxation. Motion carried.

Representative Cody moved to add the following sponsors to HB 27: Giacometto, Nisbet, Darko, Peterson, L. Nelson, Steppler, Rehberg, Vaughn, Nathe, Jenkins, Marks, Campbell, Manning, and Mercer. Motion carried.

Representative Swift moved to add the following sponsors to HJR 1: Hoffman, Owens, Thomas, Thoft, Grinde, Severson, Anderson, Gilbert, Compton, Phillips, Smith, Hayne, Jenkins, Farrell, Story, Beck, Stang, Glaser, Simpkins, R. Nelson, Harp, Connelly, Peterson, Wallin, Marks, Cobb, and Campbell. Motion carried.

Representative Marks moved to add the following sponsors to HB 57: Cody, Connelly, J. Brown, Thomas, Kasten, Swysgood, Grady, Menahan, Gilbert, and Peterson. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 17 - Representative Squires moved HB 17 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Clark.

Total 1

Excused: D. Brown, Ellison.

Total 2

Absent or not voting: Good, Stickney.

Total 2

HB 41 - Representative Gilbert moved HB 41 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: D. Brown, Ellison.

Total 2

Absent or not voting: Driscoll, Simon.

Total 2

HB 65 - Representative Spaeth moved HB 65, second reading copy, be amended as follows:

1. Page 1, line 15.

Following: line 15

Insert: "NEW SECTION. Section 2. Computer system planning. It is the intent of the legislature that money appropriated by [this act] may be used for the expansion or enhancement of computer equipment or systems only in accordance with a plan developed jointly by the house of representatives, the senate, and other agencies of the legislative branch. It is the further intent of the legislature that the legislative branch plan be developed in cooperation with the department of administration to enhance compatibility with the long-term plan for state government."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown, Ellison.

Total 2

Obsent or not voting: Russell.

Total 1

Representative Hannah moved HB 65, second reading copy, be further amended. Amendment failed. (43-54)

Representative Hannah moved HB 65, second reading copy, be further amended as follows:

1. Page 1, line 13.

Strike: "\$2,248,341"

Insert: "\$2,265,957"

2. Page 1, line 14.

Strike: "\$1,356,759"

Insert: "\$1,365,951"

Amendment passed as follows:

Ayes: Addy, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, DeMars, Driscoll, Eudaily, Gervais, Gilbert, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kimberley, Knapp, Koehnke, McCormick, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Roth, Russell, Simon, Smith, Spaeth, Spring, Squires, Stang, Strizich, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 63

Noes: Aafedt, Bachini, Bardanouve, Boharski, Campbell, Cobb, Cody, Darko, Davis, DeBruycker, Elliott, Giacometto, Glaser, Good, Gould, Guthrie, Johnson, Kasten, Keller, Kilpatrick, Lee, Marks, McDonough, Mercer, L. Nelson, Owens, Phillips, Ramirez, Rehberg, Rice, Schye, Simpkins, Steppler, Stickney, Swift, Westlake.

Total 36

Paired: D. Brown, Aye; Mercer, No.

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

Representative Bardanouve moved HB 65, as amended, do pass.
Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bachini, Campbell, Cobb, Cohen, Glaser, Good, Guthrie, Kasten, Peck, Phillips, Whalen.

Total 11

Excused: D. Brown, Ellison.

Total 2

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Driscoll moved the adoption of the committee report. Report adopted.
(94-4)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 65 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bachini, Cobb, Cohen, Glaser, Good, Phillips, Whalen.

Total 7

Excused: D. Brown, Ellison.

Total 2

Absent or not voting: Moore.

Total 1

MOTIONS

Representative Kadas moved to add the following sponsors to HB 30: Koehnke, Johnson, Brooke, Squires, Hansen, and Eudaily. Motion carried.

Representative Kadas moved to add the following sponsors to HB 15: Menahan, Brooke, Squires, and Hansen. Motion carried.

Representative Brooke moved to add the following sponsors to HB 22: D. Brown, Gould, and Spaeth. Motion carried.

Representative Brooke moved to add the following sponsors to HB 23: Stang, Gould, and Spaeth. Motion carried.

Representative Brooke moved to add the following sponsors to HB 24: Stang, Gould, and Spaeth. Motion carried.

SPECIAL ORDERS OF THE DAY

Speaker Vincent appointed the following Representatives to the House Select Committee on Education:

Peck, Ray (D), Chairman
Eudaily, Ralph (R), Vice Chairman

Schye, Ted (D)
Harrington, Dan (D)
Kadas, Mike (D)
Grinde, Larry (R)
Gilbert, Bob (R)
Glaser, Bill (R)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Friday, January 6, 1989.

Motion carried.

House adjourned at 2:40 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTH LEGISLATIVE DAY

Helena, Montana
January 6, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Addy. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellison and Ramirez, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the first and second legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/6/89

Correctly engrossed: HB 14, HB 17, HB 41.

Correctly enrolled: HB 48.

Examined by the sponsors and found to be correct:

HB 48 - Ramirez and Vincent

Signed by the Speaker at 10:00 a.m., 1/6/89: HB 48.

Delivered to the Governor for his approval at 1:30 p.m., 1/6/89: HB 48.

FISH AND GAME (Ream, Chairman):

1/5/89

HB 7, introduced bill, with statement of intent attached, be amended as follows:

1. Title, line 7.

Following: "DISPLAYED;"

Strike: "AND"

Insert: "GRANTING RULEMAKING AUTHORITY TO THE FISH
AND GAME COMMISSION TO DETERMINE NONDIVING
AREAS;"

2. Title, line 8.

Following: "MCA"

Insert: "AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE"

3. Page 2, line 3.

Following: "100"

Strike: "yards"

Insert: "feet"

4. Page 2, line 5.

Following: "flag"

Strike: "or other marker"

5. Page 2, line 6.

Following: "(b)"

Strike: "If necessary for the safety of the motorboat operator, the"

Insert: "The"

6. Page 2, line 7.

Following: "enter the"

Strike: "100-yard"

Insert: "100-foot"

7. Page 2, line 11.

Following: line 10

Insert: "(c) The fish and game commission may by rule determine areas where establishment of a 100-foot safety zone is not allowed in order to provide for diver safety or the regulation of water traffic."

8. Page 2, line 25.

Following: line 24

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

Committee attached the following statement of intent:

Statement of Intent
HB 7

A statement of intent is required for this bill because 23-2-525(4)(c) grants rulemaking authority to the fish and game commission. It is intended that the commission may, after a public hearing, establish areas where, because of diver safety or water traffic, underwater diving is not allowed.

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 1/6/89
HJR 2, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION (Menahan, Chairman): 1/5/89
HJR 3, introduced bill, be amended as follows:

1. Page 5, line 25.

Following: "(4)"

Strike: "(a)"

Following: "That"

Strike: ", except as provided in subsection (4)(b),"

2. Page 6, line 21.

Strike: "intends"

Insert: "intend"

And, as amended, do pass. Report adopted.

Recommend that the following employees be hired by the 51st Legislature:

| <u>EMPLOYEE</u> | <u>POSITION</u> |
|-------------------|--|
| Larry Fasbender | Chief Clerk |
| Joyce Andrus | Assistant Chief Clerk |
| Pat Tyanich | Assistant Chief Clerk |
| Vicki Lofthouse | Journal Clerk |
| Karma Alfredson | Bills Clerk |
| Cindy Staley | Assistant Journal Clerk |
| Holly Luck | Assistant Bills Clerk |
| Bob Verdon | Amendments Coordinator |
| Paul Tuss | Bills Coordinator |
| Bob Torres | Asst. Bills/Amends. Coord. |
| Laura Stafford | Status Input Technician |
| Brian Garrity | Reading Clerk |
| Bill Coddington | Reading Clerk |
| Jane Murphy | Legislative Assistant to Majority Leader |
| Sheri Thick | Legislative Assistant to Budd Gould |
| Margaret Boharski | Legislative Assistant to Bill Boharski |
| Bobby Spilker | Aide to Minority Leader |

Linda Carlson
Margaret Regan
Mike Menahan
Robyn Wampler
Jim Southworth
Dylan Honnold
Jack McCarthy
Harry Draper
Joe Murphy
Larry Olson
Don Healey
Bud Long
Charles Crawford

Sergeant-at-Arms
Asst. Sergeant-at-Arms
Asst. Sergeant-at-Arms
Legislative Telephone Oper.
Supply Clerk
Supply Clerk
Doorman
Security Guard
Security Guard
Security Guard
Security Guard
Security Guard
Security Guard

Secretaries

Pat Jacobson
Bette "BJ" Hoven

Secretary to Speaker
Secretary to Chief Clerk & Legislative
Administration Committee
Secretary to Majority Leader
Secretary to Minority Leader
Chief Stenographer
Assistant Chief Steno

Committee Secretaries

Maureen Cleary

Agriculture, Livestock, & Irrigation and
Fish & Game

Sylvia Kinsey
Sue Pennington
Dianne McKittrick
Claudia Johnson
Alberta Strachan
Mary Lou Schmitz

Appropriations
Business & Economic Development
Education
Highways & Transportation
Human Services
Institutions & Cultural Education Sub-
committee

Julie Emge
Marlene Orham
Terri Dore
Claudia Montagne

Judiciary
Labor & Employment Relations
Local Government
Natural Resources & Long Range Plan-
ning Subcommittee

Judy Burggraff
LaWana John
Joan Linkenbach
Mary Liedle

State Administration
Taxation
Education Subcommittee
General Government & Highways Sub-
committee

Doris Brander
Donna Grace

Human Services Subcommittee
Natural Resources Subcommittee

Steno Pool

Eleanor Boviatsis
Karen Cutler
Betty DeYoung
Jeanne Flynn
Vickie Menard
Delores Wordal

Stenographer
Stenographer
Stenographer
Stenographer
Stenographer
Stenographer

Committee Aides

Katie McKenna

Committee Aide

Jean Stearns
Lois O'Connor

Committee Aide
Committee Aide

Permanent Pages

Andy Lawrence Speaker/Majority Leader
Todd Olson Chief Clerk
Kim Duff Steno
Dana Jackson Page to Minority Leader

LOCAL GOVERNMENT (Darko, Chairman): 1/5/89

HB 23, do pass. Report adopted.

HB 24, do pass. Report adopted. 1/6/89

STATE ADMINISTRATION (J. Brown, Chairman): 1/6/89

HB 2, do pass. Report adopted.

HB 11, do pass. Report adopted.

TAXATION (Harrington, Chairman): 1/6/89

HB 3, do pass. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

HB 72, introduced by Bradley, McLane, Manning (by request of the Joint Interim Subcommittee on Welfare), referred to Committee on Appropriations

HB 73, introduced by Kimberley, Knapp (by request of the Department of Family Services), referred to Committee on Human Services and Aging

HB 74, introduced by Cobb (by request of the Department of Social and Rehabilitation Services), referred to Committee on State Administration

HB 75, introduced by Mercer (by request of the Legislative Finance Committee), referred to Committee on State Administration

HB 76, introduced by Bardanouve, referred to Committee on Taxation

HB 77, introduced by Thoft, Addy, referred to Committee on Education and Cultural Resources

HB 78, introduced by Hanson, Gage, Mercer, Harding (by request of the Committee on Indian Affairs), referred to Committee on State Administration

HB 79, introduced by DeBruycker, Jenkins, referred to Committee on Highways and Transportation

HB 80, introduced by Strizich, Russell, DeMars, Nisbet, Whalen, Wyatt, Good, Phillips, Walker (by request of the Department of Family Services), referred to Committee on Human Services and Aging

HB 81, introduced by Harrington, Whalen, Russell, Cohen, Menahan, Squires, Thomas, referred to Committee on Business and Economic Development

HB 82, introduced by O'Keefe, O'Connell, Cohen, Eck, Glaser, Smith, Owens, McDonough, Rice, Abrams, Squires, Jacobson, Bradley, Jenkins, Rapp-Svrcek, Harp, Cocchiarella, J. Brown, Peck, Thoft, referred to Committee on State Administration

HB 83, introduced by Harrington (by request of the Department of Revenue), referred to Committee on Taxation

HB 84, introduced by Hansen, referred to Committee on State Administration

- HB 85**, introduced by Hansen, Wyatt, Brooke, referred to Committee on Local Government
- HB 86**, introduced by Kilpatrick, Russell (by request of the Department of Family Services), referred to Committee on Human Services and Aging
- HB 87**, introduced by Kilpatrick, Russell (by request of the Department of Family Services), referred to Committee on Human Services and Aging
- HB 88**, introduced by Harper, referred to Committee on Education and Cultural Resources
- HB 89**, introduced by Peck, Cobb, Driscoll, R. Nelson (by request of the Department of Administration), referred to Committee on State Administration
- HB 90**, introduced by Eudaily, referred to Committee on Taxation
- HB 91**, introduced by Roth, referred to Committee on Local Government
- HB 92**, introduced by Eudaily, Squires, referred to Committee on Taxation
- HJR 5**, introduced by Bardanouve, referred to Committee on State Administration

MOTIONS

Representative Driscoll moved D. Brown's paired vote on Hannah's first amendment to HB 65 taken during second reading the fourth legislative day be recorded as no. Motion carried.

Representative J. Brown moved HB 68 be taken from the Committee on State Administration and rereferred to the Committee on Local Government. Motion carried.

Representative Marks moved to add the following sponsors to HB 21: Smith, Owens, Swift, and Hayne. Motion carried.

Representative Driscoll moved to add the following sponsors to HB 70: Clark, Grady, Roth, Harper, and Rehberg. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper announced the Committee on Rules and the Committee on Joint Rules have completed their work and hope to have joint rules and House rules available the first part of next week.

Representative Harper moved the House adjourn until 9:00 a.m., Saturday, January 7, 1989.

Motion carried.

House adjourned at 1:50 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTH LEGISLATIVE DAY

Helena, Montana
January 7, 1989

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Blotkamp. Pledge of Allegiance to the Flag.

Roll call. All members present except Cohen, Ellison, Hannah, and Ramirez, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/7/89
Correctly printed: HB 2, HB 3, HB 7, HB 11, HB 23, HB 24, HJR 2, HJR 3.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman): 1/6/89

HB 16, introduced bill, be amended as follows:

1. Title, line 7.

Following: "PERSONS"

Strike: The remainder of line 7 and line 8 through "MINORS"

Insert: "OF ANY AGE"

2. Page 2, line 6.

Following: "individuals"

Strike: The remainder of line 6 through "minors"

Insert: "of any age"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman): 1/6/89
HB 37, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 1/6/89
HB 54, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "PROVIDING" through "1991;" on line 7

2. Page 2, line 11.

Following: "a"

Insert: "statutory"

3. Page 5, line 10.

Strike: "52nd"

4. Page 5, lines 11 through 13.

Strike: section 9 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 93, introduced by Gilbert, referred to Committee on State Administration

HB 94, introduced by Gilbert, referred to Committee on Business and Economic Development

HB 100, introduced by Bardanouve (by request of the Office of Budget and Program Planning), referred to Committee on Appropriations

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2 - Representative Marks moved HB 2 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cohen, Ellison, Hannah, Ramirez.

Total 4

Absent or not voting: None.

Total 0

HB 3 - Representative Harrington moved HB 3 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cohen, Ellison, Hannah, Ramirez.

Total 4

Absent or not voting: None.

Total 0

HB 7 - Representative Peck moved HB 7 do pass. Representative Marks moved consideration of HB 7 be passed for the day. Motion carried.

HB 11 - Representative Bradley moved HB 11 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 52

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 44

Excused: Cohen, Ellison, Hannah, Ramirez.

Total 4

Absent or not voting: None.

Total 0

HB 23 - Representative Brooke moved HB 23 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Kasten.

Total 1

Excused: Cohen, Ellison, Hannah, Ramirez.

Total 4

Absent or not voting: Daily.

Total 1

HB 24 - Representative Brooke moved HB 24 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Giacometto, Good, Grinde.

Total 3

Excused: Cohen, Ellison, Hannah, Ramirez.

Total 4

Absent or not voting: Daily.

Total 1

HJR 2 - Representative Peterson moved HJR 2 be passed to the bottom of the second reading board. Motion carried.

HJR 3 - Representative Vincent moved HJR 3, second reading copy, be amended as follows:

1. Page 6, line 24 through page 7, line 7.

Following: "caucuses" on page 6, line 24

Insert: "."

Strike: "and that if" through page 7, line 7

2. Page 7, line 7.

Following: line 7

Insert: "(9) That if state employees are authorized to receive step increases by action of the 51st Legislature, the second sentence of subsection (1)(b) of this resolution be replaced by the following: "A person who has served as a legislator or an employee of the Montana House of Representatives or the Senate for at least one-half of a regular session is entitled to be advanced one step for each session served." Employees of the 51st Legislature must be retroactively paid under this provision.

(10) That the Legislature recommend that Legislative Branch agencies employ session temporary personnel under policies consistent with this resolution."

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Gilbert, Good, Gould, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Quilici, Raney, Ream, Rice, Russell, Schye, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 65

Noes: Aafedt, Bardanouve, Boharski, Campbell, Cobb, DeBruycker, Eudaily, Giacometto, Glaser, Grinde, Guthrie, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Lee, Marks, Mercer, Owens, Peck, Peterson, Phillips, Rehberg, Roth, Simon, Smith, Swysgood, Westlake, Wyatt.
Total 31

Excused: Cohen, Ellison, Hannah, Ramirez.
Total 4

Absent or not voting: None.
Total 0

Representative Menahan moved HJR 3, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Boharski, Cobb, Driscoll, Grinde, Simpkins.
Total 5

Excused: Cohen, Ellison, Hannah, Ramirez.
Total 4

Absent or not voting: None.
Total 0

HJR 2 - Representative Peterson moved HJR 2, second reading copy, be amended as follows:

1. Page 2, line 21.
Following: "States"
Strike: "Immigration and Naturalization"
Insert: "Customs"
2. Page 3, line 2.
Following: "the Director of the"
Strike: "Immigration and Naturalization"
Insert: "Customs"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice,

Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cohen, Ellison, Hannah, Ramirez.

Total 4

Absent or not voting: Daily, Pavlovich.

Total 2

Representative Peterson moved HJR 2, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cohen, Ellison, Hannah, Ramirez.

Total 4

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (96-0)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Monday, January 9, 1989.

Motion carried.

House adjourned at 10:28 a.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTH LEGISLATIVE DAY

Helena, Montana
January 9, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Cody. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the third legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/9/89

Correctly printed: HB 16, HB 37, HB 54.

Correctly engrossed: HB 2, HB 3, HB 11, HB 23, HB 24, HJR 2, HJR 3.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 95, introduced by Pavlovich, Daily, Whalen, Menahan, Peck, Harrington, McCormick, O'Connell, Lynch, Koehnke, Grady, Driscoll, Phillips, and Stimatz, referred to Committee on Taxation

HB 96, introduced by Peterson, referred to Committee on Labor and Employment Relations

HB 98, introduced by Ellison, J. Brown, Gilbert, Smith, Owens, Wallin, Keller, Hayne, and Nathe, referred to Committee on Judiciary

HB 99, introduced by Driscoll (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Hansen in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 7 - Representative Mercer moved HB 7, second reading copy, be amended as follows:

1. Title, line 9.

Following: "RESTITUTION"

Insert: "UNDER SECTIONS 46-18-241 THROUGH 46-18-249, MCA"

2. Page 2, line 5.

Following: "shall"

Insert: "purposely, knowingly, or negligently"

3. Page 2, line 11.

Following: “emergency”

Insert: “or if there is insufficient water on either side of the 100-foot safety zone to pass by and stay out of the zone”

4. Page 2, line 12.

Following: “power”

Insert: “within the zone”

5. Page 2, line 13.

Following: “exists”

Insert: “or that there is insufficient water”

6. Page 3, line 5.

Strike: “The penalty for a violation of”

Insert: “If”

Following: “23-2-525(4)”

Strike: remainder of subsection (2)

Insert: “is violated, 46-18-241 through 46-18-249 apply, except that the sentencing court shall order restitution and shall do so regardless of the court’s disposition of the violator.”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O’Connell, O’Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Peck moved HB 7, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O’Connell, O’Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins,

Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Grinde, Hannah, Swysgood, Thoft.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hansen moved the adoption of the committee report. Report adopted. (96-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 17 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 41 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Kadas moved to add the following sponsors to HB 10: Hoffman, Owens, Thomas, Thoft, Grinde, Severson, Anderson, Gilbert, Compton, Phillips, Smith, Hayne, Jenkins, Farrell, Story, Beck, Stang, Glaser, Simpkins, R. Nelson, Harp, Connelly, Peterson, Wallin, Marks, Cobb, and Campbell. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Tuesday, January 10, 1989.

Motion carried.

House adjourned at 1:55 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTH LEGISLATIVE DAY

Helena, Montana
January 10, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Lee. Pledge of Allegiance to the Flag.

Roll call. All members present except Smith, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/10/89

Correctly engrossed: HB 7.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):

1/9/89

HB 18, introduced bill, be amended as follows:

1. Title: line 7.

Following: "AN"

Insert: "IMMEDIATE"

2. Page 2, line 1.

Strike: "July 1, 1989"

Insert: "on passage and approval"

And, as amended, do pass and be placed on consent calendar. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

1/9/89

HB 33, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "REQUIRING"

Insert: "ALLOWING"

2. Title, lines 5 and 6.

Strike: "CHIROPRACTOR IF THE CLAIMANT'S TREATING
PHYSICIAN IS A CHIROPRACTOR"

Insert: "DOCTOR OF CHIROPRACTIC"

3. Page 2, line 18.

Strike: "chiropractor"

Insert: "doctor of chiropractic"

4. Page 3, line 11.

Strike: "a physician"

Insert: "an evaluator"

5. Page 4, lines 22 through 24.

Strike: "except that if the claimant's treating physician is a chiro-
practic physician, the evaluator must be a chiropractic physician"

Insert: "or a doctor of chiropractic"

6. Page 4, line 25.

Following: "chapter 12"

Strike: "and"

Insert: ". If the evaluator is a doctor of chiropractic, he"

7. Page 5, line 1.

Strike: "that"

Following: "chapter"

Insert: "12"

And, as amended, do pass. Report adopted.

HB 80, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman): 1/9/89

HB 38, do pass and be placed on consent calendar. Report adopted.

RULES (Harper, Chairman): 1/10/89

HR 1, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 1/9/89

HB 5, do pass. Report adopted.

HB 43, do pass. Report adopted.

HB 71, do pass. Report adopted. 1/10/89

HJR 4, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 101, introduced by Daily, Quilici, Harrington, referred to Committee on State Administration

HB 102, introduced by Addy, referred to Committee on Human Services and Aging

HB 103, introduced by Whalen, referred to Committee on Judiciary

HB 104, introduced by Whalen, Menahan, Daily, Strizich, Driscoll, Pavlovich, referred to Committee on Judiciary

HB 105, introduced by Ellison, referred to Committee on Local Government

HB 106, introduced by Spaeth, referred to Committee on State Administration

HB 107, introduced by Spaeth, referred to Committee on Judiciary

HB 108, introduced by Whalen, referred to Committee on Judiciary

HR 1, introduced by Harper (by request of the House Committee on Rules), referred to Committee on Rules

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 16 - Representative Boharski moved **HB 16** be placed at the bottom of the second reading board. Motion carried.

HB 37 - Representative Cohen moved **HB 37** do pass.

Representative Mercer moved **HB 37** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 54 - Representative Hanson moved **HB 54** do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton,

Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Aafedt, Campbell, Giacometto, Guthrie, Hannah, Hoffman, Kasten, R. Nelson, Owens, Rehberg.

Total 10

Excused: Smith.

Total 1

Absent or not voting: Grady.

Total 1

HB 16 - Representative Driscoll moved HB 16, second reading copy, be amended as follows:

1. Title, line 8.

Strike: "OF ANY AGE;"

Insert: "BASED ON AGE;"

2. Page 2, line 7.

Strike: "OF ANY AGE"

Insert: "based on age"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Smith.

Total 1

Absent or not voting: D. Brown.

Total 1

Representative Driscoll moved HB 16, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Good.

Total 1

Excused: Smith.

Total 1

Absent or not voting: D. Brown, Harrington.

Total 2

HB 37 - Representative Boharski moved HB 37, second reading copy, be amended as follows:

1. Title, line 6.

Following: “,”

Insert: “REQUIRING THE DIRECTOR TO CONSULT WITH APPROPRIATE HEALTH CARE PROFESSIONALS IN MATTERS AFFECTING PUBLIC HEALTH; REQUIRING ONE MEMBER OF THE BOARD OF HEALTH AND ENVIRONMENTAL SCIENCES TO BE A DOCTOR OF MEDICINE LICENSED BY THE BOARD OF MEDICAL EXAMINERS;”

2. Title, line 7.

Following: “2-15-2101”

Insert: “, 2-15-2104,”

3. Page 1, line 18.

Following: “,”

Insert: “The director shall consult with appropriate health care professionals in matters affecting public health.

Section 2. Section 2-15-2104, MCA, is amended to read:

“2-15-2104. Board of health and environmental sciences — membership — quasi-judicial. (1) There is a board of health and environmental sciences.

(2) The board consists of seven members appointed by the governor as follows:

(a) two members having professional qualifications in a human health service licensed by a board within a department of professional and occupational licenses, one of whom must be a doctor of medicine licensed by the board of medical examiners;

(b) one member being a doctor of veterinary medicine licensed in this state who is engaged in food animal medicine; and

(c) four members who do not have the qualifications described in subsection (2)(a) or (2)(b) and who have demonstrated an active interest in the field of public health and the economic welfare of the state.

(3) The board is designated as a quasi-judicial board for purposes of 2-15-124.””

Renumber: subsequent sections

Representative Hannah moved to divide the amendment. Motion carried.

The question of requiring the director to consult with appropriate health care professionals in matters affecting public health passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cobb, Grinde, Harrington.

Total 3

Excused: Smith.

Total 1

Absent or not voting: D. Brown.

Total 1

The question of requiring one member of the board of health and environmental sciences be a doctor of medicine licensed by the board of medical examiners passed as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, Campbell, Clark, Cocchiarella, Cody, Compton, Daily, Darko, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Stickney, Swysgood, Thoft, Whalen, Wyatt, Zook, Mr. Speaker.

Total 56

Noes: Aafedt, Bardanouve, J. Brown, Cobb, Cohen, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Grinde, Guthrie, Hannah, Hayne, Hoffman, Kadas, Koehnke, Lee, Marks, McCormick, L. Nelson, O'Connell, Owens, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Spring, Stepler, Strizich, Swift, Thomas, Wallin, Westlake.

Total 41

Excused: Smith.

Total 1

Absent or not voting: D. Brown, Menahan.

Total 2

Representative Cohen moved that HB 37, as amended, do pass.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Spaeth.

Total 1

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (99-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 2 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

HB 3 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

HB 11 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 51

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 48

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

HB 23 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars,

Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

HB 24 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Giacometto, Grinde.

Total 2

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

HJR 2 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Peck.

Total 1

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

HJR 3 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 90

Noes: Cobb, DeBruycker, Grinde, Kasten, Marks, Owens, Phillips, Simpkins, Wyatt.

Total 9

Excused: Smith.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative Spaeth moved HB 54 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

UNFINISHED BUSINESS

Speaker Vincent appointed the following representatives to the Committee on Education and Cultural Resources:

Gervais, Floyd "Bob" (D)

Wallin, Norm (R)

Speaker Vincent removed Floyd "Bob" Gervais from the Committee on Natural Resources and appointed Mike Kadas to the Committee on Natural Resources.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Wednesday, January 11, 1989.

Motion carried.

House adjourned at 2:23 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

NINTH LEGISLATIVE DAY

Helena, Montana
January 11, 1989

House Chambers
State Capitol

House convened at 1:33 p.m., Mr. Speaker in the Chair. Invocation by Representative Stickney. Pledge of Allegiance to the Flag.

Roll call. All members present except Grady, Menahan, Owens, Peterson, and Russell, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fourth, fifth, sixth, and seventh legislative days, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

Speaker Vincent requested members submit amendment requests to the amendment coordinator as early as possible before second reading to facilitate preparation.

Speaker Vincent assured House members it is his policy to protect the integrity of every amendment requested. Unless the amendment sponsor requests otherwise, no other member will have access to an amendment until the amendment is read across the rostrum and placed before the body for consideration.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/11/89
Correctly printed: HB 5, HB 18, HB 33, HB 38, HB 43, HB 71,
HB 80, HJR 4, HR 1.
Correctly engrossed: HB 16, HB 37.

LOCAL GOVERNMENT (Darko, Chairman): 1/10/89
HB 22, do pass. Report adopted.
HB 67, introduced bill, be amended as follows:

1. Title, line 7.

Following: line 6

Insert: "CLARIFYING THAT THE BUDGET BE KEPT WITH
MUNICIPAL RECORDS,"

2. Page 2, line 4.

Following: "council."

Insert: "The clerk shall keep a copy of the budget with the resolution
in the official records of the municipality."

And, as amended, do pass. Report adopted.

HB 68, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "5"

Insert: "3"

Following: "YEARS"

Insert: "WITH AN OPTION TO EXTEND THE CONTRACT AN
ADDITIONAL 2 YEARS"

2. Page 1, line 17.

Strike: "5"

Insert: "3"

Following: "years"

Insert: "but the contract may be extended an additional 2 years upon the request of the governmental entity"

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman):

1/11/89

HB 1, do pass and be placed on consent calendar. Report adopted.

HB 34, introduced bill, be amended as follows:

1. Page 2, lines 22 and 23.

Following: "~~Thereafter~~" on line 22

Strike: "Based on the hearing record"

Insert: "~~Thereafter~~"

And, as amended, do pass and be placed on consent calendar. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/10/89

SB 12, introduced by Halligan

SB 21, introduced by Harp

SB 23, introduced by Jergeson

SB 24, introduced by Bishop

SB 31, introduced by Gage

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 97, introduced by Kilpatrick, Spaeth, referred to Committee on Judiciary

HB 109, introduced by McCormick, Roth, referred to Committee on Agriculture, Livestock, and Irrigation

HB 110, introduced by Eudaily, Aafedt, Kadas, referred to Committee on Highways and Transportation

HB 111, introduced by Darko, Vaughn (by request of the Department of Health and Environmental Sciences), referred to Committee on Taxation

HB 112, introduced by Gould (by request of the Department of Justice), referred to Committee on Judiciary

HB 113, introduced by Rehberg (by request of the Department of Family Services), referred to Committee on Human Services and Aging

HB 114, introduced by Gervais, Pavlovich, Nathe, Lynch, Quilici, O'Keefe, Strizich, Squires, Phillips, Patterson, Menahan, Manning, Stimatz, Devlin, Hammond, Jacobson, Williams, D. Brown, Walker, referred to Committee on State Administration

HB 115, introduced by McDonough, Rice, D. Brown (by request of the Department of Family Services), referred to Committee on Human Services and Aging

HB 116, introduced by McDonough, Whalen, Strizich, Russell (by request of the Department of Family Services), referred to Committee on Human Services and Aging

HB 117, introduced by Bachini, Jergeson, Peck, Schye, DeMars, Compton, Nathe, Jenkins, Iverson, L. Nelson, Hammond, Gervais, referred to Committee on Appropriations

HB 118, introduced by Cody (by request of the Department of Commerce), referred to Committee on State Administration

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Rehberg in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 43 - Representative Boharski moved HB 43 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Grady, Menahan, Owens, Peterson, Russell.

Total 5

Absent or not voting: D. Brown, Patterson.

Total 2

HB 80 - Representative Strizich moved HB 80 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Grady, Menahan, Owens, Peterson, Russell.

Total 5

Absent or not voting: D. Brown.

Total 1

HJR 4 - Representative Grinde moved HJR 4 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Hannah.

Total 1

Excused: Grady, Menahan, Owens, Peterson, Russell.

Total 5

Absent or not voting: None.

Total 0

HR 1 - Representative Harper moved HR 1, second reading copy, be amended as follows:

1. Page 8, line 12.

Strike: "Speaker"

Insert: "presiding officer"

2. Page 10, line 18.

Following: line 18

Insert: "(2) The committee may recommend that a bill on which it has made a favorable recommendation by unanimous vote be placed on the consent calendar."

Renumber: subsequent subsections

3. Page 12, line 21.

Following: "must be noted"

Insert: "by the chief clerk"

4. Page 14, line 23.

Following: line 23

Insert: "H40-110. Consent calendar procedure. Noncontroversial bills and simple and joint resolutions may be recommended for the consent calendar by a standing committee and processed according to the following provisions:

(1) To be eligible for the consent calendar, the legislation must receive unanimous vote by the members of the standing committee in attendance (do pass, do pass as amended). In addition, a motion must be made and passed unanimously to place the legislation on the consent calendar and this action reflected in the committee report. Appropriation or revenue bills may not be recommended for the consent calendar.

(2) The legislation must then be sent to be processed and reproduced as a third reading version and specifically marked as a "consent calendar" item.

(3) Legislation must be posted immediately (as soon as it is received as a third reading version) on the consent calendar and must remain there for 1 legislative day before consideration under Order of Business No. 11, special orders of the day. At that time, the presiding officer shall announce consideration of the consent calendar and allow "reasonable time" for questions and answers upon request. No debate is allowed.

(4) If any three representatives submit written objections to the placement of the legislation on the consent calendar, the legislation must be removed from the consent calendar and added to the regular second reading board.

(5) Consent calendar legislation will be considered on Order of Business No. 8, third reading of bills, following the regular third reading agenda.

(6) Legislation on the consent calendar must be considered individually with the roll call vote spread on the journal as the final vote in the House.

(7) Legislation passed on the consent calendar must then be transmitted to the Senate."

Renumber: subsequent sections

5. Page 29, line 4.

Following: "two-thirds"

Insert: "of the members voting"

6. Page 29, line 9.

Following: "two-thirds"

Insert: "of each house"

7. Page 30, line 12.

Strike: "three-fifths"

Insert: "two-thirds"

8. Page 33, line 23.

Following: "representatives"

Insert: "voting"

9. Page 34, line 9.

Strike: "by a two-thirds vote"

Insert: "on a motion approved by not less than two-thirds of the members voting"

Amendment passed as follows:

Ayes: Afeddt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Grady, Menahan, Owens, Peterson, Russell.

Total 5

Absent or not voting: Cobb.

Total 1

Representative Harper moved HR 1, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Cobb, DeBruycker, Giacometto, Gilbert, Gould, Hannah, Hoffman, Knapp, Lee, Phillips.

Total 10

Paired: Menahan, Russell, Ayes; Cobb, Gould, Noes.

Excused: Grady, Owens, Peterson.

Total 3

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rehberg moved the adoption of the committee report. Report adopted. (88-5)

Representative Harper moved the House recess until 3:45 p.m. Motion carried.

House recessed at 2:45 p.m.

House reconvened at 4:15 p.m.

Representative R. Nelson was excused at this time.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

1/11/89

HB 65, introduced by Bardanouve

MOTIONS

Representative Harper moved the rules be suspended to consider the Senate amendments to HB 65 on second and third readings this legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Rehberg in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 65 - Representative Bardanouve moved Senate amendments to HB 65 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Cobb, DeBruycker, Glaser, Good, Kasten, Phillips, Simpkins.
Total 8

Excused: Grady, Menahan, R. Nelson, Owens, Peterson, Russell.
Total 6

Absent or not voting: None.
Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rehberg moved the adoption of the committee report. Report adopted. (93-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 7 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck,

Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Grinde, Hannah, Swysgood, Thoft, Thomas.

Total 5

Excused: Grady, Menahan, R. Nelson, Owens, Peterson, Russell.

Total 6

Absent or not voting: None.

Total 0

HB 14 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Grady, Menahan, R. Nelson, Owens, Peterson, Russell.

Total 6

Absent or not voting: None.

Total 0

HB 65, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bachini, Cobb, DeBruycker, Glaser, Good, Kasten, Phillips, Simpkins.

Total 8

Excused: Grady, Menahan, R. Nelson, Owens, Peterson, Russell.

Total 6

Absent or not voting: None.

Total 0

UNFINISHED BUSINESS

Speaker Vincent appointed Ed Grady to the Legislative Consumer Committee pursuant to Sections 5-15-101 through 5-15-105, MCA.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Thursday, January 12, 1989.

Motion carried.

House adjourned at 4:34 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TENTH LEGISLATIVE DAY

Helena, Montana
January 12, 1989

House Chambers
State Capitol

House convened at 1:32 p.m., Mr. Speaker in the Chair. Invocation by Representative Rice. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Iverson, and O'Connell, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/12/89

Correctly printed: HB 1, HB 22, HB 34, HB 67, HB 68.

Correctly engrossed: HB 43, HB 80, HJR 4.

Correctly enrolled: HB 65.

Examined by the sponsor and found to be correct:

HB 65 - Bardanouve

Signed by the Speaker at 12:45 p.m., 1/12/89: HB 65.

STATE ADMINISTRATION (J. Brown, Chairman): 1/12/89

HB 75, introduced bill, be amended as follows:

1. Page 1, line 19.

Strike: "in" through "the" on line 20

2. Page 1, line 20.

Strike: "department" through "fees" on line 21

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman): 1/12/89

HB 29, do pass and be placed on consent calendar. Report adopted.

HB 53, do pass and be placed on consent calendar. Report adopted.

HB 55, do pass and be placed on consent calendar. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/11/89

SB 16, introduced by Weeding

SB 17, introduced by Beck

SB 18, introduced by Williams

SB 30, introduced by Harp

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

January 12, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 48 on January 10, 1989.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

- HB 119**, introduced by Knapp, Peterson, referred to Committee on Highways and Transportation
- HB 120**, introduced by Giacometto, referred to Committee on Business and Economic Development
- HB 121**, introduced by Wallin, Patterson, Darko, Harrington, Hofman, Grady, Giacometto, Gilbert, O'Connell, Westlake, Cody, Koehnke, Campbell, Cobb, Manning, referred to Committee on Local Government
- HB 122**, introduced by Spaeth, referred to Committee on Judiciary
- HB 123**, introduced by Spaeth, Mazurek, Addy, Mercer, Cobb, referred to Committee on Judiciary
- HB 124**, introduced by Clark, Mazurek, referred to Committee on State Administration
- HB 125**, introduced by Harrington, Daily, Lynch, Pavlovich, Giacometto, Whalen, referred to Committee on Taxation
- HB 126**, introduced by Gould, referred to Committee on Education and Cultural Resources
- HB 127**, introduced by Stickney, Devlin, Spaeth, Addy, Zook, Hansen, Moore, Hanson, Whalen, Yellowtail, Johnson, Regan (by request of the Department of Family Services), referred to Committee on Judiciary
- HB 128**, introduced by Johnson, Weeding, Stickney, Knapp, Stang (by request of the Board of Medical Examiners), referred to Committee on State Administration
- HB 129**, introduced by Stang, Wallin (by request of the Department of Justice), referred to Committee on Business and Economic Development
- HB 130**, introduced by Stang, Wallin (by request of the Department of Justice), referred to Committee on Business and Economic Development
- HB 131**, introduced by Stepler, L. Nelson, Elliott, Patterson, Kasten, Wyatt, O'Connell, Hansen, Westlake, Moore, Peterson, Phillips, Blotkamp, Guthrie, Gilbert, DeMars, Bishop, referred to Committee on Highways and Transportation
- HB 132**, introduced by Schye, referred to Committee on Business and Economic Development
- HB 133**, introduced by Hayne, referred to Committee on Natural Resources

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 5 - Representative Eudaily moved HB 5 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll,

Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: D. Brown, Iverson, O'Connell.
Total 3

Absent or not voting: Thomas.
Total 1

HB 33 - Representative Simon moved HB 33, introduced bill, be amended as follows:

Statement of Intent
HB 33

This bill authorizes the board of chiropractors to adopt a rule for the certification of impairment evaluators within their profession. The board should consider the applicant's experience in treating industrial accidents and any academic training he may have in using the impairment rating guides recognized by the division of workers' compensation.

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: D. Brown, Iverson, O'Connell.
Total 3

Absent or not voting: Stepler.
Total 1

Representative Pavlovich moved HB 33, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen,

Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 92

Noes: Guthrie, Hannah, R. Nelson, Peck, Wyatt.

Total 5

Excused: D. Brown, Iverson, O'Connell.

Total 3

Absent or not voting: None.

Total 0

HB 71 - Representative Whalen moved HB 71 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook.

Total 76

Noes: Boharski, Clark, Cobb, Cody, Cohen, Connelly, Driscoll, Ellison, Glaser, Good, Grinde, Hannah, Hanson, Kadas, Keller, R. Nelson, Peterson, Ramirez, Swysgood, Wallin, Mr. Speaker.

Total 21

Excused: D. Brown, Iverson, O'Connell.

Total 3

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (95-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 16 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll,

Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Good.
Total 1

Excused: D. Brown, Iverson, O'Connell.
Total 3

Absent or not voting: Eudaily.
Total 1

HB 37 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Harrington, Peck, Spaeth.
Total 3

Excused: D. Brown, Iverson, O'Connell.
Total 3

Absent or not voting: None.
Total 0

HB 38 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.

Total 0

Excused: D. Brown, Iverson, O'Connell.

Total 3

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 10: Eudaily.

The following sponsors were added to HB 28: Lynch, Daily, Pavlovich, Quilici, Squires, Hansen, Whalen, Driscoll, Kadas, O'Connell, Menahan, McCormick, Jacobson, and Van Valkenburg.

The following sponsor was added to HB 57: Boharski.

The following cosponsor was removed from HB 109: Roth.

The following sponsor was removed from HB 109: McCormick.

The following cosponsor was removed from HJR 1: Connelly.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 11:35 p.m., Friday, January 13, 1989.

Motion carried.

House adjourned at 2:05 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

ELEVENTH LEGISLATIVE DAY

Helena, Montana
January 13, 1989

House Chambers
State Capitol

House convened at 11:46 a.m., Mr. Speaker in the Chair. Invocation by Representative Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown and Compton, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the eighth and ninth legislative days, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Carlson escorted the elected state officials, members of the Supreme Court, and guests into the chamber.

A committee from the Senate composed of Senators Severson, Noble, and Lynch was admitted and reported to the House the Senate was ready to meet in joint session and hear the message of the Governor.

Sergeant-at-Arms Carlson escorted members of the Senate into the House chamber.

Speaker Vincent introduced President Galt and yielded the chair to him.

Senator Gage moved the body resolve itself into a joint session for the purpose of receiving the State of the State Address from His Excellency, the Honorable Stan Stephens, Governor of the State of Montana. Motion carried.

Senator Gage moved President Galt be authorized to appoint a committee of four to notify His Excellency, the Governor, the House and Senate are now in joint session and ready to receive him. Motion carried.

President Galt appointed Senators Farrell and Boylan and Representatives Marks and Bardanouve and discharged them to escort the Governor to the House chamber.

Captain Field and members of the Montana National Guard posted the colors.

Governor Stephens was escorted to the rostrum by the escort committee.

Reverend Tom Banks gave the Invocation. The Pledge of Allegiance to the Flag followed.

After being presented to the members of both houses by President Galt, Governor Stephens delivered the following address:

STATE OF THE STATE MESSAGE
PRESENTED TO THE
FIFTY-FIRST LEGISLATURE
AND TO THE PEOPLE OF MONTANA
BY
GOVERNOR STAN STEPHENS

Friday, January 13, 1989, at 12 noon

Mr. President, Mr. Speaker, members of Montana's Centennial Legislative Session, elected state officials, fellow Montanans.

It is with a great sense of duty and responsibility that I come before you today. My term as Governor begins as Montana enters its second century. The legislative experience I have shared with many of you over the last twenty years has taught me that what we do here matters greatly to Montanans of the present and future. Your actions over the next 79 days and our administrative leadership over the next four years will shape the popular attitude and influence the environment for Montanans as we progress into our second one hundred years. It is a heavy responsibility and we are sworn to carry it for the best interests of all.

One hundred years ago this Sunday, Montana's first Governor, Joseph K. Toole, stood before the U.S. House of Representatives in Washington promoting Montana's bid for statehood. As a Congressional delegate, Toole summoned the federal government to put aside the restraints of Territorial rule and allow Montana to assume "a more important place in the future" as a state. Toole demanded CHANGE.

Like Joseph Toole 100 years ago, I and the people of Montana stand before you today petitioning for CHANGE.

We begin with a candid recognition of the illogical appearance of Montana in the global marketplace.

We enter the international economy with enviable assets and great potential. Our abundance of natural resources is well-known. Our heritage is built from commerce and agriculture, minerals, timber and tourism. Our schools have produced an educated work force. And Montanans are respected for their productivity and work ethic.

Yet despite these positive appearances, national indices show Montana is perceived as a poor place to do business. Our heavy reliance on property taxes, our deficit-ridden workers' compensation system, bureaucratic rules and regulations that impede and delay development have produced an attitude about Montana that is negative.

As we begin our Centennial year, let us retire the concepts and attitudes of the past and move forward confidently and cooperatively on winds of CHANGE.

Where do we begin?

We start by reducing personal property taxes. We do not advocate the total elimination of these taxes. There is no justification for that. But we do promote a phased-in reduction of the tax burden on essential business, industrial and agricultural equipment that serves Montanans as they compete in the marketplace.

The current personal property tax rates range from 8 to 16 percent. That is too high. We must bring them down to levels that are competitive with surrounding states.

We will work with the Legislature on this issue, but our proposal at this time is to, over a four- or five-year period, gradually bring personal property taxes down to near 4 percent. This reduction must be accompanied by a plan to replace the lost revenue of local governments and schools.

Turning to workers' compensation let us acknowledge the major progress achieved by the 1987 Legislative Session for which little recognition has been paid. Much was accomplished in the last session . . . completion of major reform remains to be done.

There is no more important responsibility facing Montana today than the resolution of what has become known as the "work comp" dilemma. It is a plague on the economic health of our state. If we are to economically develop, create new jobs, and be respected as a qualified competitor in the international marketplace, we must complete further workers' compensation reform. Our success will be a prime test of our ability to work together for the good of Montana . . . government, business, labor and the general public.

I will ask the legislature to join me in accomplishing the following:

Separate the obligation of the unfunded liability from the ongoing program. This will permit the reduction of premium rates to levels competitive with other states.

Retire the unfunded liability of \$157 million (and growing) over a period of four years by asking for the financial support of both employers and employees.

A contribution from both employers and employees at the three-tenths of a percent rate now assessed against employers only and DEDICATED EXCLUSIVELY toward retirement of the unfunded liability would retire that obligation in four years. At the end of that period the assessment would be terminated.

By working together and jointly accepting responsibility for rescuing an insurance fund essential to every Montana working man, woman and business, an employee would provide an average of four dollars per month in addition to what employers are already assessed by the payroll tax.

With this dedicated source of funding, we would then be in a position to transfer the obligation for the unfunded liability to the private sector through competitive bid.

We further recommend that the operation of the ongoing insurance program be administered by an appointed board of directors and an administrator qualified by training and experience in the insurance profession. Such a plan would protect benefits due injured workers. It would guarantee the integrity and solvency of the workers' compensation system assuring Montana's working men and women continued protection through a financially sound program. It would provide more affordable and competitive rates for employers which is essential to retention of jobs within the state and serves also as a positive signal to prospective employers considering doing business in Montana.

Additionally, we urge continued emphasis of mediation in lieu of litigation, where possible, in the settlement of claims. The role of the Workers' Compensation Court should be reviewed and perhaps modified but our zeal to improve the system must be tempered with the knowledge that we cannot foreclose access to judicial review.

We must not shirk from our responsibilities to address continuing reform of our workers' compensation system. It calls for breaking new ground, political discipline and, above all, cooperation. It is a MONTANA PROBLEM which threatens our future. Failure to act forthrightly in this session is a default on the faith placed in us last November by the people of Montana.

As for me, I offer to contribute 5 percent of my annual salary to the unfunded liability until the debt is retired.

We also need reform in the state's business permitting and licensing process. The current system has been lethargic for too long. The orderly development of our natural resources is being delayed by onerous rules and regulations that purport to be necessary protections of our environment and our people, but they are not. We will use our administrative rule making process to streamline these necessary state functions. We will insist that industry respect our quality environment but we will not impose unnecessary delays on their activities.

And we will demand a spirit of service from state agencies in their dealings with the public. Over recent years the Department of Revenue, for one, has come under considerable fire from Montanans complaining of harassment and inequitable treatment. We have chosen one of Montana's finest, Ken Nordtvedt, to direct this agency toward more tax equity and better treatment of taxpayers which are the backbone of our state.

Ken will be implementing a systematic review of the Department's rule making process to insure that the directives for tax assessment are consistent with legislative intent. There have been too many cases where the rules have wandered from the path set by lawmakers. This review will correct the deviation.

In the future, we will be proposing fundamental changes in our business and individual income tax systems . . . changes that promote a more positive treatment of human enterprise and initiative in Montana.

Additionally, we will introduce legislation that will slash unemployment insurance taxes by as much as 20 percent.

We feel these changes will provide the necessary harmony between our positive qualities and the perception those wanting to participate in the orderly development of our resources have of us.

Because the improvement of our economy will require the focused energies of all parties involved, I feel we are obligated to put an historically contentious issue to the side right now. Montana's labor and industry must work together in a spirit of mutual respect and cooperation. Now is not the time to rekindle the consuming fires ignited by such issues as "right to work" legislation. I urge those who would promote or fight such changes in Montana to forego the debate at this time. We can and must work together to bring improvement to Montana's economy. I feel it is imperative that our energies are focused on other more important issues.

The foremost example of a consuming issue before us is the judicial demand that we create a new funding system for our public schools.

Elementary and secondary public education has been the pride of this state's commitment to our children. The strength of our schools rests with local communities, dedicated school boards and teachers who make the system work.

The constitutional question of how we are to fund K-12 education is now before the Supreme Court. In our search for a solution to school funding the requirement for "equalization" will prove to be a difficult and frustrating task. It is especially difficult when a significant segment of our economy suffers the plight of uncertainty, economic stagnation, loss of good paying jobs, depressed agriculture, and natural resource industries, and where the survival of small towns is threatened. **PROPERTY DOES NOT PAY TAXES. PEOPLE PAY TAXES.** When people are unable to find work they cannot pay taxes.

The time has come when we must cap the amount of money school districts spend to provide a basic education. This will help us address the equity issue contained in the District Court decision while providing basic protection for the taxpaying public.

In an effort to uncomplicate an arcane system of funding, one of our legislative proposals will present a plan to equalize the funding of retirement benefits of school employees by integrating them into the foundation program.

This legislative proposal includes the elimination of county-wide property taxes for school district retirement benefits and the incorporation of those costs into the general fund budgets of the state's school districts. To replace this lost revenue, we propose a statewide 20 mill property tax levy be enacted with its revenues dedicated to the Foundation Program. Additionally, the profits of the state's lottery would go to the state school fund for equalized redistribution.

This equalization effort increases the Foundation Program schedules by about \$340 per student to pay for the district's teacher retirement benefits.

Our proposal is made revenue neutral, with respect to natural resource industries, by adjusting severance taxes for the additional retirement levies assessed on those properties. We propose adjusting those levies downward between three-tenths and six-tenths of a percent.

For Montana's homeowners and other school district taxpayers the impact will vary. There will be give and take, as the term "equalization" implies. But we believe this is a responsible step that improves the public school funding system and allows local control to be maintained.

Of course, the court will speak on the letter of the law. We do not know when that will be but we will heed their message when it comes. Our intention is not to lead the court by this action, our intention is to continue the strong tradition of public school funding and quality education which this state has always valued.

And a word to school trustees and local communities. This Governor will oppose legislation that erodes local control of your schools . . . and I will VETO any attempt at mandatory consolidation.

Concerning higher education, we have said many times that a first rate university system is essential. The current budget for higher education must be increased to meet that goal. We need to successfully compete with peer institutions in the area of faculty salaries and we cannot ignore the essential needs of libraries and crucial support services.

At the same time we will insist that university research demonstrate its applicability to the needs of Montana and that graduates leave the campuses equipped with a quality education that meets a changing and ever more competitive environment.

To paraphrase Churchill, "If we are to give you the tools, we expect you to do the job."

We have not had a comprehensive state water policy in Montana but we are in great need of one. I believe Montanans realize this is vital to our future. Our administration has given such a plan top priority status. Its importance to agriculture, tourism, sportsmen and conservation interests, industry and virtually all Montanans cannot be overstated.

Governor Schwinden's Water Policy Advisory Council developed a good starting point for discussion. We agree with many of their recommendations including development of more off-stream storage in the state. But the current proposal is incomplete. It fails to involve the state's water court and federal agencies. This must be done if we are to have a comprehensive plan to protect this most precious resource.

Privatization of government services was an issue in our campaign. Over our first 12 days in office, we have been presented with a number of worthy suggestions on where the private sector could become involved to improve government services while reducing the size of our public agencies and institutions. We will be asking for legislative authority to pursue pilot programs advancing this concept where it is deemed appropriate. We will enjoy your support.

There is not sufficient time to elaborate on the many specific matters that require our attention. Permit me, therefore, a brief statement on these important issues.

Public Employee Compensation—Our public employees, including this governor, must be continually reminded that the reason there is employment in the public sector is because of the men and women who keep the private sector economy alive and productive. There are no guarantees for the women and men in the white and blue collar jobs and professions in our industry, commerce and agriculture. All employees are dependent on a healthy and prosperous economy for their job security.

We must also recognize the services performed and the contribution that is made to our economy by public employees. During the past two years our state workers have performed admirably and patiently under a pay freeze. This freeze on state employees' salaries must be lifted. The increase will be modest in these pressing times, but our state employees and the dedicated work they perform needs to be recognized in the budget process.

International Trade—The changes we make that will reflect favorably on Montana as a good place to do business will open up increased opportunities for international trade. We need to build upon the resources and relationships established in the Pacific Rim and develop the opportunities opened by the ratification of the U.S.-Canada Free Trade Agreement. On this latter point, we intend to enthusiastically encourage increased commerce and exchange between Montana and our three bordering Canadian Provinces.

Judicial Compensation—To our chagrin, Montana pays the lowest salaries in the nation to our elected judges. To retain, and also attract, capable men and women to the bench we can do no less than offer reasonable compensation for the responsibilities required. I trust this session will be able to demonstrate progress in this important area.

Liability Insurance—Liability tort reform must be on the legislative agenda. While I speak, small businesses are being forced into failure or bankruptcy because they cannot afford insurance. Advocates of a fail-safe society show no concern for who pays the bill. People take a fall on the ski slopes and sue the resorts . . . bar customers abuse alcohol and sue the tavern . . . our doctors are forced to pay enormous insurance premiums because of the misdeeds of a few. The result is that goods and services we need for our livelihood, and sometimes our survival, become prohibitively expensive or dry up entirely. One out of eight obstetricians is already out of business. What are expectant mothers to do? Nearly obstetrical care is

no longer available to many. In Montana a rural health care crisis is upon us. We must address these situations.

Tourism—We need to continue to place strong emphasis on this major industry. Revenues from the bed tax enacted in the last session should continue to be used in promotion of our tourist industry.

The Environment—Montana's quality environment will continue to be protected. Economic development with due regard for our environment can be accomplished and will be achieved.

Native Americans—As part of this traditional gathering of Montanans and their governmental triad, we have included the elected representatives of the state's eight Native American Tribes. The chairmen of the Assiniboine-Sioux, Blackfeet, Chippewa-Cree, Crow, Gros Ventre-Assiniboine, Little Shell, Northern Cheyenne, and Salish-Kootenai tribes were invited here today.

Our invitation was an expression of the unity and cooperation we desire with the Indian Nation of Montana. The economic and cultural role these people have in our state has not always been recognized. We are dedicated to work with the tribes toward a common good.

The Arts—As we deal with these matters of state, we cannot forget the importance of our artists and cultural institutions. We are celebrating our heritage in this Centennial year and I believe it is true that the most meaningful activities we employ will revolve around music, the arts, and historical displays representing the first one hundred years in Montana. We must continue to enhance support for our artists, our museums and our historians to assure inspiration for the future and preservation of our heritage over the next century.

In moving forward let us be mindful that even with austere times the appetite for spending by all levels of government has not abated. You will encounter pressure to increase spending and raise taxes. Plausible arguments will be made. The clamoring voices will come from special interests, the general public, the oracles of the press, the bureaucracy, constituents . . . even your colleagues with whom you toil in the legislative chambers.

We are about to be tested.

The inclination to "Just Say No" to every question that will arise is clearly not practical nor intelligent. If we are to perform responsibly, properly fund needed and necessary services and balance the state budget as we are required to do, we must be prepared to demonstrate bi-partisan cooperation and proceed soberly and decisively.

I believe this legislature can perform in a statesmanlike manner. I pray that I can also.

The session will draw upon your courage and common sense. You will experience every emotion from exhaustion to exhilaration.

In the end, triumph over what appears to be impossible is achieved by doing what we know is right.

It is as C. S. Lewis wrote about moral law. "It is hard as nails. It tells you to do the straight thing and it does not seem to care how painful, or dangerous, or difficult it is to do."

I wish you good luck in your endeavors. Thank you.

Reverend Banks gave the Benediction, and Governor Stephens was escorted from the House chamber by the escort committee.

Sergeants-at-Arms Carlson and Moritz escorted the distinguished guests from the House chamber.

Senator Gage moved the 51st Legislature in joint session this day authorize the publication of 500 copies of Governor Stephens' State of the State Address. Motion carried.

Senator Gage moved the joint session of the 51st Legislature be adjourned. Motion carried.

Members of the Senate retired from the House chamber.

Representative Harper moved the House stand in recess until 1:30 p.m.

Motion carried.

House recessed at 12:29 p.m.

House reconvened at 1:34 p.m. Mr. Speaker in the Chair.

Representative Grinde was excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/13/89

Correctly printed: HB 75.

Correctly engrossed: HB 5, HB 29, HB 33, HB 53, HB 55, HB 71.

Correctly enrolled: HR 1.

Examined by the sponsor and found to be correct:

HR 1 - Harper

Signed by the Speaker at 11:00 a.m., 1/13/89: HR 1.

Delivered to the Governor for his approval at 2:15 p.m., 1/12/89: HB 65.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

1/12/89

HB 19, introduced bill, be amended as follows:

1. Title, line 5.

Following: "STOCKHOLDERS"

Strike: the remainder of line 5 and line 6 through "STATE"

2. Page 1, line 17.

Following: "state"

Insert: ", of whom at least two-thirds must be residents of Montana"

3. Page 1, line 17.

Following: "be"

Strike: the remainder of line 17 and line 18 through "or"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

1/12/89

HB 58, introduced bill, be amended as follows:

1. Page 15, line 2.

Strike: "due"

Insert: "providing"

Strike: "defined"

Insert: "set forth"

Strike: "76-15-103"

Insert: "7-1-2121"

2. Page 15, line 11.
Strike: "including"
Insert: "except: (a)"

3. Page 15, line 12.
Following: "20-25-423"
Insert: "; or

(b) assessments made against property for the payment of bonds issued pursuant to Title 7, chapter 12"

And, as amended, do pass. Report adopted.

HB 85, do pass and be placed on consent calendar. Report adopted.

HB 91, do pass and be placed on consent calendar. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 1/13/89

HB 36, do pass and be placed on consent calendar. Report adopted.

HB 62, do pass. Report adopted.

HB 84, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/12/89

SB 27, introduced by Meyer

SB 43, introduced by Rapp-Svrcek

SB 45, introduced by Mazurek

SB 51, introduced by Mazurek

SB 52, introduced by Crippen

SB 54, introduced by Crippen

MESSAGES FROM THE GOVERNOR

John Vincent January 12, 1989
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bill No. 65 on January 12, 1989.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 134, introduced by J. Brown, referred to Committee on Judiciary

HB 135, introduced by Mercer, McDonough, referred to Committee on Judiciary

HB 136, introduced by DeMars, Steppler, Schye, Westlake, Strizich, Williams, Grady, Whalen (by request of the Department of Agriculture), referred to Committee on Agriculture, Livestock, and Irrigation

- HB 137**, introduced by DeMars, Steppler, Schye, Westlake, Strizich, Williams, Grady, Whalen (by request of the Department of Agriculture), referred to Committee on Agriculture, Livestock, and Irrigation
- HB 138**, introduced by DeMars, Steppler, Schye, Westlake, Strizich, O'Keefe, Williams, Grady, Whalen, B. Brown (by request of the Department of Agriculture), referred to Committee on Agriculture, Livestock, and Irrigation
- HB 139**, introduced by Simon (by request of the Department of Commerce), referred to Committee on State Administration
- HB 140**, introduced by Cobb (by request of the Department of Commerce), referred to Committee on State Administration
- HB 141**, introduced by Phillips (by request of the Department of Administration), referred to Committee on State Administration
- HB 142**, introduced by Cobb, Jacobson, Simon, Jergeson, Keating, Gage, Bradley (by request of the Legislative Audit Committee), referred to Committee on State Administration
- HB 143**, introduced by Schye, Gage, referred to Committee on Natural Resources
- HB 144**, introduced by L. Nelson, Vaughn, Darko, Elliott, Harding, Hayne, R. Nelson, Weeding, referred to Committee on State Administration
- HB 145**, introduced by Ramirez, Crippen (by request of the Revenue Oversight Committee), referred to Committee on Taxation
- HB 146**, introduced by Strizich, Cody, Thoft, Darko, Nisbet, Good, Stickney (by request of the Board of Crime Control), referred to Committee on Judiciary
- HB 147**, introduced by Whalen, referred to Committee on Judiciary
- HB 148**, introduced by Harper, Jacobson, Pinsoneault, Addy, Campbell, Wallin, Eudaily, Darko, Norman, Smith, Vincent, O'Keefe, Gilbert referred to Committee on Local Government
- HB 149**, introduced by Stang, Harp (by request of the Department of Highways), referred to Committee on Highways and Transportation
- HB 150**, introduced by Johnson, Tveit, Gilbert, Abrams, Cohen, Wallin, Blaylock, referred to Committee on Business and Economic Development
- HB 151**, introduced by Swift, Bradley, Harper, Thomas, Hayne, Guthrie, J. Brown, McCormick, Jacobson, Van Valkenburg, Menahan, Abrams, Manning, Swysgood, Thayer, Eck, Addy, Giacometto, Grady, Williams, O'Connell, referred to Committee on Business and Economic Development
- HB 152**, introduced by Addy (by request of the Department of Family Services), referred to Committee on Judiciary

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Keller in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 22 - Representative Brooke moved HB 22 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott,

Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown, Compton, Grinde.

Total 3

Absent or not voting: None.

Total 0

HB 67 - Representative Hansen moved HB 67 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Boharski.

Total 1

Excused: D. Brown, Compton, Grinde.

Total 3

Absent or not voting: None.

Total 0

HB 68 - Representative Hansen moved HB 68 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Smith, Spaeth, Spring,

Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cobb, Roth, Simpkins, Thomas.

Total 4

Excused: D. Brown, Compton, Grinde.

Total 3

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keller moved the adoption of the committee report. Report adopted. (97-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 43 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown, Compton, Grinde.

Total 3

Absent or not voting: None.

Total 0

HB 80 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth,

Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: D. Brown, Compton, Grinde.
Total 3

Absent or not voting: Phillips.
Total 1

HJR 4 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Cobb, Cohen, Owens, Thomas.
Total 4

Excused: D. Brown, Compton, Grinde.
Total 3

Absent or not voting: Grady, Menahan.
Total 2

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 30: Addy, Harper, Keller, Westlake, and Raney.

The following sponsors were added to HB 58: Addy, Kilpatrick, Whalen, McDonough, and Kimberley.

MOTIONS

Representative Harrington moved HB 55 be removed from the consent calendar and placed on second reading on legislative day 13. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 9:00 a.m., Saturday, January 14, 1989.

Motion carried.

House adjourned at 2:10 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWELFTH LEGISLATIVE DAY

Helena, Montana
January 14, 1989

House Chambers
State Capitol

House convened at 9:02 a.m., Mr. Speaker in the Chair. Invocation by Representative Good. Pledge of Allegiance to the Flag.

Roll call. All members present except Cohen, Hanson, Harrington, and McCormick, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/14/89

Correctly printed: HB 19, HB 58, HB 62, HB 84.

Correctly engrossed: HB 22, HB 36, HB 67, HB 68, HB 85, HB 91.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

1/13/89

HB 32, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "2"

Insert: "4"

2. Title, line 6.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, line 21.

Strike: "2"

Insert: "4"

4. Page 2, line 20.

Following: line 19

Insert: "NEW SECTION. Section 2. Applicability. The provisions of [this act] are applicable to terms of members of the board of regents beginning after [the effective date of this act]."

NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 63, do pass and be placed on consent calendar. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

1/13/89

HB 8, do pass. Report adopted.

HB 25, introduced bill, be amended as follows:

1. Page 2, line 19.

Following: "and"

Insert: "at other locations the department designates and that are"

And, as amended, do pass. Report adopted.

HB 61, do pass. Report adopted.

HB 79, introduced bill, be amended as follows:

1. Page 2, line 20.

Following: "22,"

Strike: the remainder of line 20 and line 21 through "part,"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

1/13/89

HB 73, introduced bill, be amended as follows:

1. Page 1, line 15.

Strike: "A"

Insert: "If the parent or legal guardian of a resident of a facility cannot be located, the"

2. Page 1, line 16.

Following: "superintendent"

Insert: "or the acting superintendent"

3. Page 1, line 17.

Strike: "residents"

Insert: "the resident"

And, as amended, do pass. Report adopted.

HB 102, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Strike: "WITHOUT APPROVAL OF"

Insert: "IF"

2. Title, line 8.

Following: "INSTITUTIONS"

Insert: "DOES NOT RESPOND WITHIN A CERTAIN PERIOD TO A REQUEST FOR A FEE CHANGE"

3. Page 5, line 5.

Following: "department"

Insert: "with the approval of the department"

4. Page 5, line 6.

Following: "services."

Insert: "If the department does not act within 30 days upon a request for a change in the fee schedule that has been recommended by the regional board of mental health, then the change becomes effective."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/13/89

SB 5, introduced by Devlin

SJR 1, introduced by Gage

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 153, introduced by Smith (by request of the Division of Workers' Compensation), referred to Committee on Judiciary

HB 154, introduced by Smith (by request of the Division of Workers' Compensation), referred to Committee on Judiciary

HB 155, introduced by Smith (by request of the Division of Workers' Compensation), referred to Committee on Judiciary

HB 156, introduced by Smith (by request of the Division of Workers' Compensation), referred to Committee on Labor and Employment Relations

- HB 157**, introduced by Smith (by request of the Division of Workers' Compensation), referred to Committee on Labor and Employment Relations
- HB 158**, introduced by Addy, Harp, referred to Committee on Highways and Transportation
- HB 159**, introduced by R. Nelson, Eudaily, Peterson, Darko, Peck, Davis, Blaylock, Bengtson, B. Brown (by request of the Teachers' Retirement Board), referred to Committee on State Administration
- HB 160**, introduced by Steppler, Schye, Grady, referred to Committee on Local Government
- HB 161**, introduced by Peterson, Smith, Vaughn, referred to Committee on Taxation
- HB 162**, introduced by Peterson Vaughn, Gervais, Elliott, referred to Committee on Highways and Transportation
- HB 163**, introduced by Campbell, Cobb, Grinde, Swift, Mercer, referred to Committee on Taxation
- HB 164**, introduced by Clark, Devlin (by request of the Department of Justice), referred to Committee on Highways and Transportation
- HB 165**, introduced by Ellison, Wallin, referred to Committee on Highways and Transportation
- HB 166**, introduced by Good, Vincent, Strizich, Giacometto, Mercer, Moore, McDonough, Rehberg, Walker, Ream, Wyatt, O'Connell, McCormick, referred to Committee on Taxation
- HB 167**, introduced by Stickney, Strizich, Good (by request of the Department of Health and Environmental Sciences), referred to Committee on State Administration
- HB 168**, introduced by Lee, Bishop, Connelly, referred to Committee on Judiciary
- HB 169**, introduced by Lee, Bishop, Connelly, referred to Committee on Judiciary
- HB 170**, introduced by Hayne, Ellison, Kasten, Hanson, Keller, Schye (by request of the Department of Agriculture), referred to Committee on Agriculture, Livestock, and Irrigation
- HB 171**, introduced by Swift, Hoffman, Campbell, Cobb, Thomas, Wallin, Thoft, referred to Committee on State Administration
- HB 172**, introduced by Swift, Rehberg, Giacometto, Gould, Hoffman, Cobb, Driscoll, Owens, Thomas, referred to Committee on Judiciary
- HB 173**, introduced by R. Nelson, B. Brown, Davis, Spring, Bengtson, Glaser, Harp, referred to Committee on Education and Cultural Resources
- HB 174**, introduced by Grinde, referred to Committee on Fish and Game
- HB 175**, introduced by Hansen, Hoffman, Squires, Strizich, referred to Committee on Local Government
- HB 176**, introduced by Hansen, Hoffman, Squires, Kilpatrick, referred to Committee on Local Government
- HB 177**, introduced by J. Brown, Darko, McDonough, Roth, Van Valkenburg, Glaser, Cohen, referred to Committee on Judiciary
- HB 178**, introduced by Cody, referred to Committee on Judiciary

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative DeMars in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 75 - Representative Mercer moved HB 75, second reading copy, be amended as follows:

1. Title, line 8.

Following: "LIMITATIONS"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 24.

Following: "~~regents.~~"

Insert: "NEW SECTION. Section 2. Effective Date. [This act] is effective on passage and approval."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cohen, Hanson, Harrington, McCormick.

Total 4

Absent or not voting: None.

Total 0

Representative Mercer moved HB 75, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cohen, Hanson, Harrington, McCormick.

Total 4

Absent or not voting: Lee.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman DeMars moved the adoption of the committee report. Report adopted. (96-0)

MOTIONS

Representative Harper moved HB 29 remain on the consent calendar for an additional legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 5 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cohen, Hanson, Harrington, McCormick.

Total 4

Absent or not voting: None.

Total 0

HB 33 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Guthrie, Hannah, R. Nelson, Peck.

Total 4

Excused: Cohen, Hanson, Harrington, McCormick.

Total 4

Absent or not voting: Moore.

Total 1

HB 71 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Guthrie, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Boharski, Campbell, Clark, Cobb, Cody, Connelly, Glaser, Good, Grinde, Hannah, Kadas, Kasten, Keller, Knapp, R. Nelson, O'Connell, Peterson, Phillips, Ream, Spring, Swysgood, Wallin.

Total 22

Excused: Cohen, Hanson, Harrington, McCormick.

Total 4

Absent or not voting: None.

Total 0

HB 1 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cohen, Hanson, Harrington, McCormick.

Total 4

Absent or not voting: None.

Total 0

HB 18 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman,

Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cohen, Hanson, Harrington, McCormick.

Total 4

Absent or not voting: None.

Total 0

HB 34 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cohen, Hanson, Harrington, McCormick.

Total 4

Absent or not voting: Cocchiarella, Darko.

Total 2

SPECIAL ORDERS OF THE DAY

Representative Driscoll moved HB 53 be removed from the consent calendar and placed on second reading the next legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Sarah DeMers, Helena
Mike Hartnett, Helena
Joni Kovacich, Anaconda
Jim Lewis, Helena
Jennifer Rice, Havre
LeAnn Richardson, Miles City
Chris Schmidt, Billings

Kelly Seitz, Minority Leader Page

Representative Harper moved the House adjourn until 1:30 p.m., Monday, January 16, 1989.

Motion carried.

House adjourned at 9:40 a.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTEENTH LEGISLATIVE DAY

Helena, Montana
January 16, 1989

House Chambers
State Capitol

House convened at 1:31 p.m., Mr. Speaker in the Chair. Invocation by Representative Johnson. Pledge of Allegiance to the Flag.

Roll call. All members present except Clark, Grady, Menahan, L. Nelson, and Peterson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the tenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/16/89
Correctly printed: HB 8, HB 25, HB 32, HB 61, HB 73, HB 79, HB 102.
Correctly engrossed: HB 53, HB 55, HB 63, HB 75.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman): 1/13/89

HB 50, be tabled. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 1/16/89

HB 77, do pass and be placed on consent calendar. Report adopted.

JUDICIARY (D. Brown, Chairman): 1/14/89
HB 27, do pass. Report adopted.
HB 59, introduced bill, be amended as follows: 1/16/89

1. Page 2, lines 4 and 5.

Strike: ". To" on line 4 through "agency" on line 5

Insert: "and"

2. Page 2, line 8.

Following: "federal"

Insert: "(to the extent allowed by federal law)"

And, as amended, do pass. Reported adopted.

Adverse Committee Report

HB 42, do not pass.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/14/89

SB 8, introduced by Eck

SB 11, introduced by Lynch

SB 22, introduced by Eck

SB 36, introduced by Hofman

SB 38, introduced by Regan

SB 41, introduced by Abrams

SB 55, introduced by Harp

SB 79, introduced by Mazurek

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

- HB 179**, introduced by Lee, Eck, Connelly, J. Brown, Harding, referred to Committee on Judiciary
- HB 180**, introduced by Hannah, McLane, Hager, Glaser, referred to Committee on Local Government
- HB 181**, introduced by Daily, Pavlovich, Menahan, referred to Committee on Taxation
- HB 182**, introduced by Quilici, Lynch, referred to Committee on Local Government
- HB 183**, introduced by Roth, referred to Committee on Local Government
- HB 184**, introduced by Whalen, Blaylock, Gould, referred to Committee on Labor and Employment Relations
- HB 185**, introduced by Whalen, Blaylock, Gould, referred to Committee on Judiciary
- HB 186**, introduced by Ream (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game
- HB 187**, introduced by Ream, Harper (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game
- HB 188**, introduced by Roth, referred to Committee on Taxation
- HB 189**, introduced by Rice, Mercer, Elliott, Darko, Mazurek, referred to Committee on Judiciary
- HB 190**, introduced by Hanson (by request of the Department of Agriculture), referred to Committee on Agriculture, Livestock, and Irrigation
- HB 191**, introduced by Stang, Glaser, Harp, B. Brown, Peterson, Darko, Vaughn, Cody, Smith, Mercer, Gilbert, Devlin, Strizich, Nathe, Beck, Patterson, Walker, Boylan, Meyer, Boharski, referred to Committee on Business and Economic Development
- HB 192**, introduced by Rice, Harper (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging
- HB 193**, introduced by Thoft, Rehberg, Squires, Schye, Addy, Vincent, Darko, Driscoll, Harper, J. Brown, Peterson, O'Keefe, Connelly, Johnson, Clark, referred to Committee on Appropriations
- HB 194**, introduced by Rice, L. Nelson, Nathe, referred to Committee on Judiciary
- HB 195**, introduced by Rice, referred to Committee on Education and Cultural Resources

The following Senate bill was introduced, read first time, and referred to committee:

- SJR 1**, introduced by Gage (by request of the Joint Rules Committee), referred to Committee on Rules

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Eudaily in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 19 - Representative Swysgood moved HB 19 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Mr. Speaker.

Total 76

Noes: Addy, Campbell, Clark, Cobb, Cohen, DeBruycker, Driscoll, Gervais, Good, Hannah, Kimberley, Owens, Patterson, Peck, Raney, Smith, Stepler, Whalen, Wyatt, Zook.

Total 20

Paired: Swysgood, Aye; Clark, No.

Excused: Grady, Menahan, L. Nelson, Peterson.

Total 4

Absent or not voting: None.

Total 0

HB 53 - Representative Ramirez moved HB 53, do pass.

Representative Patterson moved to revert to the body of the bill for purpose of amendment. Motion carried.

Representative Patterson moved HB 53, second reading copy, be amended as follows:

1. Page 2, line 16.

Insert: "NEW SECTION. Section 4. Report to revenue oversight committee. The department of revenue shall report to the revenue oversight committee at every revenue oversight committee meeting as to its progress in completing the revaluation cycle."

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Bardanouve, Bradley, Cocchiarella, Elliott, Ellison, Gilbert, Hansen, Harper, Kadas, Marks, Nisbet, Ramirez, Raney, Ream, Thomas, Wallin.

Total 16

Excused: Clark, Grady, Menahan, L. Nelson, Peterson.

Total 5

Absent or not voting: None.

Total 0

Representative Rameriz moved HB 53, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Bachini, Boharski, D. Brown, Cobb, Cohen, Driscoll, Glaser, Hannah, Hansen, Stepler.

Total 10

Excused: Clark, Grady, Menahan, L. Nelson, Peterson.

Total 5

Absent or not voting: Keller, Ream.

Total 2

HB 55 - Representative Harrington moved HB 55 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Hannah, Hayne, Simon, Swysgood.

Total 4

Excused: Clark, Grady, Menahan, L. Nelson, Peterson.

Total 5

Absent or not voting: None.

Total 0

HB 58 - Representative Driscoll moved HB 58 do pass.

Representative Ramirez moved consideration of HB 58 be passed for the day. Motion carried.

HB 62 - Representative Stang moved HB 62, second reading copy, be amended as follows:

1. Page 4.

Following: line 11

Insert: "(8) (a) Except as provided in subsection (8)(c), the department may not audit a cemetery district with annual expenditures of less than \$10,000, excluding the payment of principal and interest on federal loans.

(b) Such cemetery district shall annually file with the clerk of the district court in the county in which the cemetery district is located an itemized account of all receipts and expenditures for the year, signed under oath by an officer designated by the cemetery district trustees.

(c) The board of county commissioners may require an annual audit to be conducted by the department if it considers such audit to be in the public interest."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Clark, Grady, Menahan, L. Nelson, Peterson.

Total 5

Absent or not voting: Patterson.

Total 1

Representative Hanson moved HB 62, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Whalen.

Total 2

Excused: Clark, Grady, Menahan, L. Nelson, Peterson.

Total 5

Absent or not voting: Kadas.

Total 1

HB 84 - Representative Hansen moved HB 84 do pass.

Representative Hansen made a substitute motion consideration of HB 84 be passed for the day. Motion carried.

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Eudaily moved the adoption of the committee report. Report adopted. (92-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 22 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Clark, Grady, Menahan, L. Nelson, Peterson.

Total 5

Absent or not voting: None.

Total 0

HB 67 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cohen, Ellison, Grinde.

Total 3

Excused: Clark, Grady, Menahan, L. Nelson, Peterson.

Total 5

Absent or not voting: None.

Total 0

HB 68 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Clark, Cobb, Grinde, Kasten, Peck, Raney, Roth, Spring, Swift, Thomas.

Total 10

Paired: Simon, Aye; Clark, No.

Excused: Grady, Menahan, L. Nelson, Peterson.

Total 4

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Tuesday, January 17, 1989.

Motion carried.

House adjourned at 2:58 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FOURTEENTH LEGISLATIVE DAY

Helena, Montana
January 17, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Thomas. Pledge of Allegiance to the Flag.

Roll call. All members present except Gould, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the eleventh, twelfth, and thirteenth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/17/89

Correctly printed: HB 27, HB 42, HB 59, HB 91.

Correctly engrossed: HB 19, HB 53, HB 55, HB 62, HB 77.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 1/17/89

HB 64, introduced bill, be amended as follows:

1. Page 5, line 6.

Following: ~~"report"~~

Strike: "a notice"

Insert: "an annual report"

2. Page 5, line 7.

Strike: "that"

3. Page 5, line 8.

Following: "for"

Strike: "relating to"

Insert: "for"

4. Page 5, lines 9 and 10.

Following: "county"

Strike: remainder of line 9 through "office" on line 10

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman): 1/17/89

HB 113, do pass. Report adopted.

HB 115, introduced bill, be amended as follows:

1. Title, lines 9 through 11.

Following: "PROCESS;"

Insert: "AND"

Strike: "," AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, lines 15 and 16.

Strike: "a licensed child-placing agency or"

3. Page 6, lines 12 and 13.

Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman): 1/16/89

HB 31, be tabled. Report adopted.

HB 51, be tabled. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/17/89

HB 82, introduced bill, be amended as follows:

1. Page 1, lines 19 through 24.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman):

1/17/89

HB 83, do pass. Report adopted.

HB 145, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 42 - Representative D. Brown moved the 1/14/89 adverse committee report on **HB 42** be adopted. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Steppler, Strizich, Wallin, Westlake, Wyatt, Zook.
Total 79

Noes: Addy, Cobb, Darko, Good, Kilpatrick, Mercer, Peck, Ramirez, Raney, Rice, Stang, Stickney, Swift, Swysgood, Thoft, Thomas, Whalen, Mr. Speaker.

Total 18

Excused: Gould.

Total 1

Absent or not voting: O'Connell, Smith.

Total 2

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/16/89

SB 37, introduced by Harding

SB 53, introduced by Harp

SB 58, introduced by Beck

SB 68, introduced by Rasmussen

SB 69, introduced by Pinsoneault

SB 9, introduced by Harp, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed by the Senate and is returned to the House with the following vote: 1/16/89

YEAS - 25

NAYS - 24

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 196**, introduced by Cobb, Jacobson (by request of the Legislative Audit Committee), referred to Committee on Highways and Transportation
- HB 197**, introduced by Addy (by request of the Department of Family Services), referred to Committee on Judiciary
- HB 198**, introduced by J. Brown (by request of the Department of Commerce), referred to Committee on Business and Economic Development
- HB 199**, introduced by J. Brown (by request of the Department of Commerce), referred to Committee on Business and Economic Development
- HB 200**, introduced by Vincent, Halligan, Good, Harper, Pipinich, Cohen, Bengtson, Johnson, Kadas, Eck, Hansen, Severson, Bishop, Norman, Harp, Regan, Harding, Spaeth, Addy, Williams, Weeding, Cocchiarella, Wyatt, Davis, Jergeson, B. Brown, Blaylock, T. Nelson, O'Keefe, Brooke, McDonough, Eudaily (by request of the Department of Family Services), referred to Committee on Human Services and Aging
- HB 201**, introduced by Spaeth, Swift, Thoft, Schye, referred to Committee on Local Government
- HB 202**, introduced by Pavlovich, referred to Committee on Taxation
- HB 203**, introduced by Schye, referred to Committee on Agriculture, Livestock, and Irrigation
- HB 204**, introduced by Cobb (by request of the Department of Social and Rehabilitation Services), referred to Committee on Judiciary
- HB 205**, introduced by Stang, Halligan, Gould, referred to Committee on Local Government
- HB 206**, introduced by Gould (by request of the Department of Justice), referred to Committee on Judiciary
- HB 207**, introduced by Gould (by request of the State Lottery Commission), referred to Committee on State Administration
- HB 208**, introduced by Driscoll, referred to Committee on Taxation
- HB 209**, introduced by Hannah, referred to Committee on Business and Economic Development
- HB 210**, introduced by Swysgood, Thoft, Campbell, referred to Committee on State Administration
- HB 211**, introduced by Addy (by request of the Department of Commerce), referred to Committee on Human Services and Aging
- HB 212**, introduced by Guthrie, Hoffman, Campbell, Hayne, Beck, DeBruycker, Aklestad, referred to Committee on Highways and Transportation
- HB 213**, introduced by Strizich, McDonough, Rice, Good, Harper, Walker, Squires, Boylan, Norman, Rasmussen, Manning, referred to Committee on Education and Cultural Resources
- HB 214**, introduced by Smith (by request of the Division of Workers' Compensation), referred to Committee on Labor and Employment Relations
- HB 215**, introduced by Hanson, Weeding, Giacometto, referred to Committee on Taxation
- HB 216**, introduced by Wallin (by request of the Department of Commerce), referred to Committee on State Administration
- HB 217**, introduced by Schye, referred to Committee on Education and Cultural Resources
- HB 218**, introduced by J. Brown (by request of the Department of Commerce), referred to Committee on Business and Economic Development

- HB 219**, introduced by Harper (by request of the Department of Justice), referred to Committee on State Administration
- HB 220**, introduced by Vincent, referred to Committee on Business and Economic Development
- HB 221**, introduced by Menahan, Pavlovich, Driscoll, Whalen, Hannah, referred to Committee on Business and Economic Development
- HB 222**, introduced by Menahan (by request of the Board of Barbers), referred to Committee on Business and Economic Development
- HB 223**, introduced by Wallin, Aafedt, referred to Committee on Highways and Transportation
- HB 224**, introduced by Roth, Keating, Peck, Hager, Giacometto, Gilbert, Simon, Smith, R. Nelson, Galt, Rehberg, referred to Committee on Human Services and Aging
- HB 225**, introduced by Squires, Hager, Lynch, referred to Committee on Human Services and Aging
- HB 226**, introduced by Stickney (by request of the Department of Commerce), referred to Committee on State Administration
- HB 227**, introduced by Harrington, referred to Committee on Education and Cultural Resources
- HB 228**, introduced by Harrington, referred to Committee on Education and Cultural Resources
- HB 229**, introduced by Harrington, referred to Committee on Education and Cultural Resources
- HB 230**, introduced by Kimberley, referred to Committee on Education and Cultural Resources
- HB 231**, introduced by D. Brown, Iverson, Gould, Pavlovich, T. Nelson, J. Brown, Hager, referred to Committee on Judiciary
- HB 232**, introduced by D. Brown, Yellowtail, referred to Committee on Judiciary
- HB 233**, introduced by D. Brown, Vincent, Addy, Whalen, Swysgood, Marks, Eudaily, Lynch, referred to Committee on Education and Cultural Resources
- HB 234**, introduced by Spaeth, Cocchiarella, Manning, Peterson, Rasmussen, Squires, Walker, Grady, Nathe, Menahan, Pavlovich, Quilici, Campbell, J. Brown, Mazurek, Harp, Nisbet, R. Nelson, Strizich, Beck, Driscoll, Stang, B. Brown, Harper, Rice, Connelly, Thomas, Schye, Eudaily, Eck, O'Keefe, Anderson, Iverson, McCormick, Norman, Jacobson, O'Connell, Vincent, Glaser, Lynch, Brooke, D. Brown, Moore, referred to Committee on State Administration
- HB 235**, introduced by Spaeth, Cocchiarella, Ream, Jacobson, Pavlovich, Peterson, Rasmussen, Grady, Nathe, Manning, Menahan, Quilici, Campbell, J. Brown, Mazurek, Squires, Harp, Strizich, Nisbet, R. Nelson, Beck, Connelly, Driscoll, Stang, B. Brown, Harper, Rice, Walker, Peck, Anderson, Norman, O'Keefe, Thomas, Addy, Jenkins, Iverson, McCormick, Gould, O'Connell, Brooke, Vincent, Glaser, Lynch, D. Brown, Eck, Schye, Eudaily, Moore, referred to Committee on State Administration
- HJR 6**, introduced by O'Keefe, Grady, J. Brown, Harper, Pipinich, Clark, Good, Connelly, Walker, Westlake, Rice, Koehnke, Mazurek, Vincent, Rasmussen, Moore, R. Nelson, Campbell, O'Connell, Simpkins, Lee, Swift, Simon, Gilbert, Ream, Wyatt, Roth, Addy, Peck, Marks, Patterson, Bradley, Thomas, Blotkamp, Bachini, Hansen, McDonough, Stang, Steppler, L. Nelson, Spaeth, Daily, Hannah, Glaser, Guthrie, Russell, Jacobson, Severson, Gervais, Davis, Brooke, Driscoll, Rehberg, Bardanouve, Strizich, Iverson, Compton, D. Brown, Swysgood, referred to Committee on Natural Resources

MOTIONS

Representative Hansen moved HB 84 be taken from the second reading board and rereferred to the Committee on State Administration. Motion carried.

Representative Darko moved HB 201 be taken from the Committee on Local Government and rereferred to the Committee on Judiciary. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 8 - Representative Whalen moved HB 8, second reading copy, be amended. Amendment failed. (32-64)

Representative Swysgood moved HB 8, do pass. Motion carried as follows:

Ayes: Aafedt, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Addy, Bachini, Bardanouve, Blotkamp, Brooke, Cocchiarella, Cody, Darko, DeMars, Gervais, Harper, Kilpatrick, Kimberley, Menahan, Mercer, Nisbet, O'Connell, Peck, Raney, Ream, Russell, Schye, Squires, Stang, Strizich, Whalen.
Total 26

Excused: Gould.
Total 1

Absent or not voting: None.
Total 0

HB 25 - Representative O'Keefe moved HB 25 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Blotkamp, Campbell, Giacometto, Guthrie, Hannah, Hanson, Lee, R. Nelson, Wallin.
Total 9

Excused: Gould.
Total 1

Absent or not voting: None.
Total 0

HB 32 - Representative Cocchiarella moved HB 32, second reading copy, be amended. Amendment failed. (44-54)

Representative Daily moved HB 32 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Zook.
Total 72

Noes: Addy, Bardanouve, Bradley, Brooke, Cobb, Cocchiarella, Cohen, Eudaily, Harper, Johnson, Kadas, Knapp, McDonough, Moore, R. Nelson, T. Nelson, Nisbet, O'Keefe, Ream, Schye, Spaeth, Squires, Steppler, Stickney, Wallin, Wyatt, Mr. Speaker.
Total 27

Excused: Gould.
Total 1

Absent or not voting: None.
Total 0

HB 58 - Representative Driscoll moved HB 58, second reading copy, be amended as follows:

1. Page 15, line 10.

Following: "section"

Insert: ": (a)"

2. Page 15, line 12.

Strike: "~~EXCEPT:~~"

Insert: "including"

3. Page 15, line 13.

Strike: "~~(A)~~"

4. Page 15, line 14.

Strike: "~~OR~~"

5. Page 15, line 15.

Following: "~~(B)~~"

Insert: "does not apply to"

6. Page 16.

Following: line 14

Insert: "NEW SECTION. Section 15. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cobb, Glaser, Guthrie, Stang.

Total 4

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

Representative Driscoll moved HB 58, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cobb, Cohen, Guthrie, Kadas, Stang.

Total 5

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 61 - Representative Grady moved HB 61 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Good, Grinde, Hannah, Peck, Simpkins, Thomas.

Total 7

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 73 - Representative Kimberley moved HB 73 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Gould.

Total 1

Absent or not voting: Bardanouve, D. Brown, Smith.

Total 3

HB 79 - Representative DeBruycker moved consideration of HB 79 be passed for the day. Motion carried.

HB 102 - Representative Addy moved HB 102 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Grady,

Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Good.

Total 1

Excused: Gould.

Total 1

Absent or not voting: D. Brown.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report. Report adopted. (94-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 36 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cobb, Lee, Rice.

Total 3

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 75 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser,

Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 85 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Grinde, Spring, Swysgood.

Total 3

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 133: Iverson, D. Brown, Gilbert, Keating, Rehberg, Gage, Meyer, Abrams, Tveit, and Gervais.

The following sponsor was added to HB 172: Elliott.

Upon objection of Representatives Roth, Thomas, Driscoll, and Stang, HB 91 was removed from the consent calendar and placed on second reading.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Wednesday, January 18, 1989.

Motion carried.

House adjourned at 2:46 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FIFTEENTH LEGISLATIVE DAY

Helena, Montana
January 18, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Stepler. Pledge of Allegiance to the Flag.

Roll call. All members present except Gould, Grady, and Thoft, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/18/89

Correctly printed: HB 64, HB 82, HB 83, HB 113, HB 115, HB 145.

Correctly engrossed: HB 8, HB 25, HB 32, HB 58, HB 61, HB 73, HB 102.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

1/17/89

HB 94, introduced bill, be amended as follows:

1. Title, line 5.

Following: "FLEET"

Strike: the remainder of line 5 and line 6 through "MCA"

2. Page 1, line 12.

Strike: subsection (1) in its entirety

Renummer: subsequent subsections

3. Page 1, line 19.

Following: "department"

Insert: "of highways"

4. Page 1, line 20.

Following: "department"

Insert: "of highways"

5. Page 1, line 23.

Following: "department"

Insert: "of highways"

6. Page 2, line 4.

Following: "department"

Insert: "of highways"

7. Page 2, line 5.

Following: "(3)"

Strike: "(a)"

Following: "vehicle"

Strike: the remainder of line 5 and line 6 through "61-3-316"

8. Page 2, line 7.

Following: "fleet"

Strike: the remainder of line 7 and line 8 through "registration"

9. Page 2, lines 9 through 15.

Strike: subsections (b) and (c) in their entirety

10. Page 2, line 17.

Following: "department"

Insert: "of highways"

11. Page 3, line 1.

Following: "61-3-316"

Strike: "must"

Insert: "may"

12. Page 3, line 2.

Following: "following"

Insert: "fleet"

Following: "department"

Insert: "of highways"

13. Page 3, line 6.

Following: "department"

Insert: "of highways"

14. Page 3, line 9.

Following: "department"

Insert: "of highways"

Following: "collect"

Strike: the remainder of line 9 and line 10 through "costs"

15. Page 3, line 12.

Following: "61-3-321."

Insert: "The department shall retain \$4.50 of each registration fee for administrative costs and forward the remaining \$3 to the state treasurer for deposit in the motor vehicle recording account of the state special revenue fund in lieu of the fee provided in 61-3-321(5)."

16. Page 3, line 16.

Following: "department"

Insert: "of highways"

Following: "in"

Insert: "61-3-321 and"

17. Page 3, line 18.

Strike: section 4 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 120, do pass. Report adopted.

HB 132, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

1/17/89

HB 104, be tabled. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/18/89

HB 84, second reading copy, be amended as follows:

1. Page 1, line 25.

Strike: ":",

Insert: "published as provided in 13-1-108 and may be"

2. Page 2, line 1.

Strike: "(a)"

3. Page 2, line 2.

Strike: ":",

4. Page 1, lines 3 and 4.

Strike: "or" on line 3 through "13-1-108" on line 4

And, as amended, do pass. Report adopted.

HB 89, do pass and be placed on consent calendar. Report adopted.

HB 141, do pass and be placed on consent calendar. Report adopted.

Adverse Committee Report

HB 106, do not pass.

TAXATION (Harrington, Chairman):

1/18/89

HB 60, introduced bill, be amended as follows:

1. Title, line 8.

Following: "ASSESSORS,"

Strike: "AND"

Strike: "SECTIONS"

Insert: "SECTION"

Following: "15-1-202"

Strike: "AND"

2. Title, line 9.

Strike: "15-8-103"

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE AND AN
APPLICABILITY DATE"

3. Page 1, lines 14 through 21.

Following: "7-4-2201," on line 14

Strike: the remainder of line 14 through "Each" on line 21

Insert: "each"

4. Page 2, line 2.

Following: "3"

Insert: "(2)"

5. Page 2, line 5.

Strike: "(3)"

Insert: "(2)"

6. Page 2, line 7.

Strike: "36"

Insert: "24"

7. Page 3, line 8.

Following: "mileage"

Strike: ", "

Insert: "and"

Following: "diem"

Strike: ", and salary"

Following: "assessor"

Strike: "attending"

8. Page 3, line 9.

Strike: "the mileage and per diem of"

9. Page 4, line 25.

Strike: "2"

Insert: "3"

10. Page 5, lines 6 through 14.

Strike: section 5 in its entirety

Renumber: subsequent sections

11. Page 5.

Following: section 7

Insert: "NEW SECTION. Section 7. Effective date — applicability. [This act] is effective January 1, 1991, and applies to an assessor whose term of office begins on or after January 1, 1991."

And, as amended, do pass. Report adopted.

HB 90, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "USED SOLELY FOR RECREATIONAL PURPOSES"

2. Page 1, lines 13 through 16.

Following: "includes" on line 13

Strike: the remainder of line 13 through "(b)" on line 16

3. Page 1, line 16.

Strike: "other"

4. Page 4, lines 23 through 25.

Following: "equipment" on line 23

Strike: the remainder of line 23 through "purposes" on line 25

And, as amended, do pass. Report adopted.

HB 92, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "AN"

Insert: "A RETROACTIVE"

2. Page 1, line 24.

Following: "(2)"

Insert: "(a)"

3. Page 2, line 1.

Following: "eligible."

Strike: "The"

Insert: "(b) Except as provided in subsection (2)(d), the"

4. Page 2, line 3.

Following: "eligibility."

Insert: "(c)"

5. Page 2, line 4.

Following: "eligibility."

Insert: "(d)"

Following: "may"

Insert: ": (i)"

6. Page 2, line 6.

Following: "place"

Insert: ":",

Following: "and"

Strike: "may"

Insert: "(ii)"

7. Page 2, lines 6 and 7.

Following: "eligibility" on line 6

Strike: "at any time it considers necessary"

Insert: "if an inquiry made under subsection (2)(d)(i) or other information discovered by the department indicates that the applicant's eligibility may have changed"

8. Page 2, line 11.

Following: "part."

Insert: "For the purposes of this subsection, good cause includes circumstances where the applicant or the person to whom the applicant has designated the responsibility of paying the applicant's taxes is incapacitated due to hospitalization, physical illness, infirmity, or mental illness. No extension may be made beyond July 1 of the current year."

9. Page 2, line 25.

Following: "applies"

Insert: "retroactively, within the meaning of 1-2-109,"

Following: "31,"

Strike: "1989"

Insert: "1988"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 95, do not pass.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/16/89

SB 4, introduced by Hager

SB 57, introduced by Jenkins

SB 60, introduced by Beck

SB 64, introduced by Halligan

SB 76, introduced by Regan

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 236, introduced by R. Nelson, Schye, Vincent, Eudaily, Darko, Hayne, Harp, Peterson, Blaylock, Peck, referred to Committee on Taxation

HB 237, introduced by R. Nelson, referred to Committee on Local Government

HB 238, introduced by Whalen, Blaylock, Menahan, Yellowtail, Connelly, Cohen, referred to Committee on Business and Economic Development

HB 239, introduced by Simpkins, Thayer (by request of the Board of Occupational Therapy Practice), referred to Committee on Business and Economic Development

HB 240, introduced by Vincent, Galt, referred to Committee on Business and Economic Development

HB 241, introduced by Harper (by request of the Department of State Lands), referred to Committee on Natural Resources

HB 242, introduced by Cobb (by request of the Department of Social and Rehabilitation Services), referred to Committee on Human Services and Aging

HB 243, introduced by Rice (by request of the Department of Social and Rehabilitation Services), referred to Committee on Human Services and Aging

HB 244, introduced by Swift, Clark, Thomas, Severson, D. Brown, Spaeth, Nathe, Thoft, Swysgood, referred to Committee on Local Government

- HB 245**, introduced by Quilici, Driscoll, Clark, Roth, Simpkins, Abrams, Hager, Anderson, Bishop, Harp, Phillips, Menahan, McCormick, Smith, Pavlovich, Wallin, Daily, Harrington, Lynch, O'Keefe, Gilbert, Boylan, Swysgood, D. Brown, referred to Committee on Highways and Transportation
- HB 247**, introduced by Whalen, Hager, Rehberg, referred to Committee on Business and Economic Development
- HB 248**, introduced by McDonough, Mazurek, Bachini, Addy, referred to Committee on Judiciary
- HB 249**, introduced by Glaser, Driscoll (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations
- HB 250**, introduced by Eudaily, Kadas, Stang, Thomas, Thoft, Ream, referred to Committee on Fish and Game
- HB 251**, introduced by Swysgood, Grady, Campbell, referred to Committee on Business and Economic Development
- HB 252**, introduced by Spring, Knapp, Peterson (by request of the Department of Commerce), referred to Committee on Human Services and Aging
- HB 253**, introduced by Spring, Knapp (by request of the Department of Commerce), referred to Committee on Human Services and Aging
- HB 254**, introduced by Thoft, Williams, Pavlovich, Swysgood, Peterson, Smith, Simon, Knapp, Lee, Giacometto, Campbell, Boharski, Marks, Thomas, Grady, Clark, Phillips, Good, DeBruycker, Glaser, Guthrie, Cobb, Swift, Kasten, Ellison, Rehberg, Patterson, Roth, Simpkins, Rice, Compton, Gilbert, T. Nelson, Gould, Koehnke, Hannah, Peck, Hayne, Aafedt, Wallin, Keller, Eudaily, Owens, Spring, referred to Committee on Education and Cultural Resources
- HB 255**, introduced by Pavlovich, referred to Committee on Business and Economic Development
- HB 256**, introduced by Cohen, Addy, referred to Committee on Taxation
- HB 257**, introduced by Cohen, referred to Committee on Taxation
- HB 258**, introduced by Spaeth, Cohen, Grady, Guthrie, Good, Ream (by request of the Department of Commerce), referred to Committee on Business and Economic Development
- HB 259**, introduced by Spaeth, referred to Committee on Human Services and Aging
- HB 260**, introduced by Clark (by request of the Department of Justice), referred to Committee on Judiciary
- HB 261**, introduced by Hansen, Kadas, Brooke, referred to Committee on Local Government
- HB 262**, introduced by Hoffman, referred to Committee on Business and Economic Development
- HB 263**, introduced by Hannah, Rehberg, Driscoll, Ramirez, Stang, Crippen, Harp, Halligan, Mazurek, Schye, referred to Committee on Taxation
- HB 264**, introduced by Hannah, Bengtson, referred to Committee on Judiciary
- HB 265**, introduced by Strizich (by request of the Department of Family Services), referred to Committee on Judiciary
- HB 266**, introduced by Bradley, B. Brown, Addy, Mercer, Cohen, Kadas, Hansen, Moore, Brooke, Davis, Ream, Cocchiarella, McDonough, Kimberley, referred to Committee on Taxation
- HB 267**, introduced by Kilpatrick, Vincent, Kimberley, O'Keefe, Stang, Wyatt, referred to Committee on State Administration

- HB 268**, introduced by Guthrie, Vincent, referred to Committee on Taxation
- HB 269**, introduced by Koehnke, Driscoll, Pavlovich, Moore, Connelly, referred to Committee on Taxation
- HB 270**, introduced by Ramirez, Harper, Raney, Iverson, Walker, Cohen, Marks, Hannah, Vincent, Squires, Cody, McDonough, D. Brown, O'Keefe, Ream, Spaeth, Stang, Yellowtail, Blaylock, Simon, Strizich, Brooke, McLane, B. Brown, Galt, Norman, Eck, Thoft, Kadas, Mazurek, Gage, Grady, J. Brown, Good, Mercer, Giacometto, referred to Committee on State Administration
- HB 271**, introduced by Wallin, Keller, Koehnke, O'Connell, Keating, Compton, Rice, Hoffman, Swift, Harding, Rasmussen, Gage, Crippen, Hofman, Hannah, Spring, Westlake, T. Nelson, referred to Committee on Education and Cultural Resources
- HB 272**, introduced by Hanson, Knapp (by request of the Department of State Lands), referred to Committee on Natural Resources
- HB 273**, introduced by L. Nelson, Tveit, Elliott, Devlin, Steppler, Hanson, Cody, Kasten, DeMars, Quilici, Jergeson, Weeding, Nathe, Schye, Yellowtail, Bachini, Patterson (by request of the Department of Agriculture), referred to Committee on Agriculture, Livestock, and Irrigation
- HB 274**, introduced by Quilici, Daily, Jacobson, Pavlovich, Van Valkenburg, Lynch, Stimatz, Beck, Harrington, D. Brown, Campbell, Blotkamp, Harper, referred to Committee on Business and Economic Development
- HB 275**, introduced by L. Nelson, Tveit, Peck, Johnson, Davis, Vaughn, Schye, Darko, Knapp, referred to Committee on Education and Cultural Resources
- HB 276**, introduced by Patterson, Boylan, Zook, Swift, Kasten, Giacometto, Hanson, Glaser, Grinde, Keller, Koehnke, Ellison, Grady, DeBruycker, Iverson, Devlin, Bengtson, Guthrie, Severson, Daily, Nathe, (by request of the Department of Livestock), referred to Committee on Agriculture, Livestock, and Irrigation
- HB 277**, introduced by Raney, B. Brown, Bradley, Addy, Stickney, Wallin, Vincent, referred to Committee on Appropriations
- HB 278**, introduced by Ream, Halligan, referred to Committee on State Administration
- HB 279**, introduced by Cobb, referred to Committee on Human Services and Aging
- HB 280**, introduced by Vincent, Raney, referred to Committee on Taxation
- HB 281**, introduced by Stickney, B. Brown (by request of the Office of the Secretary of State), referred to Committee on State Administration
- HB 282**, introduced by Strizich, Gage, Walker, D. Brown, Nisbet, McDonough, Harper, Good, Giacometto, referred to Committee on Human Services and Aging
- HB 283**, introduced by Harper, Patterson, Kasten, Hansen, Ellison, Zook, Vincent, Severson, Bishop, B. Brown, Regan, McLane, Quilici, Walker, Noble, Rapp-Svrcek, Stickney, Wyatt, Connelly, referred to Committee on Fish and Game
- HB 284**, introduced by Harper (by request of the Department of Commerce), referred to Committee on Business and Economic Development
- HB 285**, introduced by Steppler, Cody, L. Nelson, Schye, referred to Committee on Natural Resources
- HJR 7**, introduced by Gilbert, Pavlovich, referred to Committee on Taxation

HJR 8, introduced by D. Brown, Quilici, Harrington, Pavlovich, Walker, Westlake, Ellison, Phillips, Iverson, Driscoll, Daily, DeMars, Patterson, Kasten, Strizich, Bradley, Lynch, Stimatz, Koehnke, Nisbet, Jacobson, referred to Committee on Taxation

HJR 9, introduced by Mercer, Harding, B. Brown, Harp, Peterson, Pinsonneault, Vaughn, Connelly, Boharski, Smith, Lee, referred to Committee on Natural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Hanson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 27 - Representative Cody moved HB 27 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Addy, Bardanouve, Bradley, Brooke, Cocchiarella, Cohen, Driscoll, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, Koehnke, McDonough, O'Keefe, Ream, Russell, Stickney, Whalen.

Total 20

Paired: Gould, Aye; Stickney, No.

Excused: Grady, Thoft.

Total 2

Absent or not voting: Squires.

Total 1

HB 59 - Representative Spaeth moved HB 59 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Cobb, Grinde, Hannah, Hansen, Stang, Whalen.
Total 7

Excused: Gould, Grady, Thoft.
Total 3

Absent or not voting: Kadas, Smith.
Total 2

HB 79 - Representative DeBruycker moved HB 79, second reading copy, be amended as follows:

1. Page 2, lines 17 and 18.

Strike: "The revenue from these levies may not exceed the total amount raised by all three such levies in 1986."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Gould, Grady, Thoft.
Total 3

Absent or not voting: Menahan.
Total 1

Representative DeBruycker moved HB 79, as amended, do pass.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.

Total 0

Excused: Gould, Grady, Thoft.

Total 3

Absent or not voting: Kadas.

Total 1

HB 91 - Representative Thomas moved HB 91, second reading copy, be amended as follows:

1. Title, line 4.

Strike: "FEES"

Insert: "FEE"

2. Title, line 6.

Strike: "AND" through "PAPER"

3. Page 2, lines 12 and 13.

Following: "~~document~~,"

Insert: "for the first page of any document,"

Following: "~~cents~~"

Insert: ", and 25 cents"

4. Page 2, line 13.

Following: "~~subsequent~~"

Insert: "subsequent"

5. Page 3, line 7.

Strike: "\$5"

Insert: "\$3"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeBruycker, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 81

Noes: Blotkamp, Cobb, Cohen, Connelly, DeMars, Driscoll, Gilbert, Glaser, Grinde, Iverson, Kasten, Raney, Strizich, Whalen, Wyatt.

Total 15

Excused: Gould, Grady, Thoft.

Total 3

Absent or not voting: Kadas.

Total 1

Representative Roth moved HB 91, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert,

Glaser, Good, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Rehberg, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: D. Brown, Campbell, Cobb, Cody, Cohen, Driscoll, Giacometto, Grinde, Hannah, Kasten, Marks, R. Nelson, O'Keefe, Patterson, Phillips, Ream, Rice, Russell, Swysgood, Whalen.

Total 20

Excused: Gould, Grady, Thoft.

Total 3

Absent or not voting: Kadas.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hanson moved the adoption of the committee report. Report adopted. (92-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 19 passed as follows:

Ayes: Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Compton, Connelly, Daily, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Mr. Speaker.

Total 73

Noes: Aafedt, Addy, Bardanouve, Campbell, Cobb, Cody, Cohen, Darko, DeBruycker, Driscoll, Good, Hannah, Hansen, Kimberley, Menahan, Owens, Peterson, Raney, Smith, Stepler, Whalen, Wyatt, Zook.

Total 23

Excused: Gould, Grady, Thoft.

Total 3

Absent or not voting: Kadas.

Total 1

HB 29 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp,

Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Glaser, Kasten.
Total 2

Excused: Gould, Grady, Thoft.
Total 3

Absent or not voting: Kadas.
Total 1

HB 53 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Boharski, D. Brown, Cobb, Driscoll, Glaser, Grinde, Hannah, Peck, Steppler.
Total 10

Excused: Gould, Grady, Thoft.
Total 3

Absent or not voting: Hansen, Phillips.
Total 2

HB 55 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Hannah, Hayne, Simon, Swysgood.
Total 4

Excused: Gould, Grady, Thoft.

Total 3

Absent or not voting: Hansen, Kilpatrick.

Total 2

HB 62 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, O'Keefe, Spaeth, Whalen.

Total 4

Excused: Gould, Grady, Thoft.

Total 3

Absent or not voting: Clark.

Total 1

HB 63 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: DeBruycker, Driscoll.

Total 2

Excused: Gould, Grady, Thoft.

Total 3

Absent or not voting: Keller.

Total 1

MOTIONS

Representative Driscoll moved the rules be temporarily suspended to permit the introduction of LC 389. Motion carried.

Representative Ream moved HB 250 be taken from the Committee on Fish and Game and rereferred to the Committee on Taxation. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 250: Gould.

The following sponsor was added to HB 271: Lee.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Thursday, January 19, 1989.

Motion carried.

House adjourned at 2:40 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SIXTEENTH LEGISLATIVE DAY

Helena, Montana
January 19, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Zook. Pledge of Allegiance to the Flag.

Roll call. All members present except Gould, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/19/89
Correctly printed: HB 60, HB 84, HB 90, HB 92, HB 94, HB 120, HB 132.

Correctly engrossed: HB 27, HB 59, HB 79, HB 89, HB 91, HB 141.

JUDICIARY (D. Brown, Chairman): 1/18/89
HB 13, introduced bill, be amended as follows:

1. Title, line 11.

Strike: "A"

Insert: "NO"

2. Title, line 12.

Strike: "OVER \$200,000"

3. Page 4, lines 8 and 9.

Following: "death" on line 8

Strike: "was" through "inflicted" on line 9

Insert: "occurred during the commission of an offense defined in Title 45 that requires the mental state of purposely, knowingly, or either or both, as an element of the offense"

4. Page 6, line 16.

Following: "claimant"

Insert: " , provided that the division has made reasonable efforts to obtain from the claimant a release of the records or information"

5. Page 7, line 13.

Strike: "except that a"

Insert: "and no"

6. Page 7, line 14.

Strike: "in excess of \$200,000"

7. Page 11, line 15.

Strike: "4"

Insert: "5"

And, as amended, do pass. Report adopted.

HB 103, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "PAYMENT"

Insert: "PREPAYMENT"

2. Page 1, line 22.

Following: line 21

Insert: "(2) In civil actions, the jurors' fees must be taxed as costs against the losing party."

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 107, introduced bill, be amended as follows:

1. Page 2, line 5.

Strike: "\$15"

Insert: "\$10"

And, as amended, do pass. Report adopted.

HB 108, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "REQUIRING"

Insert: "ALLOWING"

2. Page 1, lines 15 and 16.

Strike: "with" on line 15 through "population of" on line 16

3. Page 1, lines 16 and 17.

Strike: "75,000" on line 16 through "or more" on line 17

4. Page 1, line 17.

Strike: "shall"

Insert: "may"

5. Page 1, line 25.

Strike: "not meeting the requirements in subsection (1)"

Following: "may"

Insert: "only"

6. Page 2, line 2.

Strike: "two-thirds"

7. Page 2, lines 11 and 12.

Strike: "during" on line 11 through "to the" on line 12

8. Page 3, lines 16 through 18.

Strike: "The" on line 16 through "record." on line 18

9. Page 4, line 8.

Following: "law"

Insert: "unless a party requests a trial anew on appeal or unless the district court orders a trial anew in the interests of justice"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

1/18/89

Adverse Committee Report

HJR 1, do not pass.

RULES (Harper, Chairman):

1/18/89

SJR 1, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/19/89

HB 124, do pass. Report adopted.

HB 142, do pass and be placed on consent calendar. Report adopted.

HB 144, do pass and be placed on consent calendar. Report adopted.

ADVERSE COMMITTEE REPORTS

HB 95 - Representative Harrington moved the 1/18/89 adverse committee report on HB 95 be adopted.

Representative Pavlovich made a substitute motion HB 95 be referred to second reading. Motion failed. (35-64)

Thereupon, the adverse committee report was adopted as follows:

Ayes: Addy, Bardanouve, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, Elliott, Ellison, Eudaily, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Harper, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Lee, Marks, McDonough, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Peck, Peterson, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Stang, Steppler, Stickney, Swift, Wallin, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Aafedt, Bachini, Blotkamp, D. Brown, Campbell, Cocchiarella, Daily, DeMars, Driscoll, Gervais, Giacometto, Grady, Hanson, Harrington, Hayne, Kilpatrick, Koehnke, McCormick, Menahan, Mercer, Nisbet, O'Connell, Pavlovich, Phillips, Quilici, Rehberg, Roth, Smith, Squires, Strizich, Swysgood, Thoft, Thomas, Westlake, Whalen.

Total 35

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 106 - Representative J. Brown moved the 1/18/89 adverse committee report on HB 106 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cobb, McCormick, Pavlovich.

Total 3

Excused: Gould.

Total 1

Absent or not voting: Harrington, Patterson.

Total 2

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/18/89

SB 3, introduced by Mazurek

SB 29, introduced by Gage

SB 49, introduced by Rasmussen

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

HB 246, introduced by Ellison, referred to Committee on Fish and Game

HB 286, introduced by Lee, Connelly, referred to Committee on Judiciary

HB 287, introduced by Whalen, referred to Committee on Business and Economic Development

HB 288, introduced by Ellison, Harper, referred to Committee on Fish and Game

HB 289, introduced by Johnson, referred to Committee on Fish and Game

HB 290, introduced by Giacometto, D. Brown, Driscoll, Bishop, Grady, Harper, referred to Committee on Fish and Game

HB 291, introduced by Thomas, referred to Committee on Judiciary

HB 292, introduced by Thomas, referred to Committee on Judiciary

HB 293, introduced by Cohen, referred to Committee on Taxation

HB 294, introduced by Gould, referred to Committee on Appropriations

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Darko in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 64 - Representative Eudaily moved HB 64 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 82 - Representative O'Keefe moved HB 82 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Hanson.
Total 1

Excused: Gould.
Total 1

Absent or not voting: Cobb, Menahan.
Total 2

HB 83 - Representative Harrington moved HB 83 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Hannah, Stepler.
Total 2

Excused: Gould.
Total 1

Absent or not voting: Cobb, Schye.
Total 2

HB 113 - Representative Rehberg moved HB 113, second reading copy, be amended as follows:

1. Page 1, line 24.

Following: "placement"

Insert: ". A committee shall consider placement in a licensed facility, at Mountain View school, at Pine Hills school, or with a parent, other family member, or guardian"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Boharski, Cody, Gilbert, Good, Wallin.

Total 5

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

Representative Rehberg moved HB 113, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Cody, Gilbert.

Total 2

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

HB 115 - Representative McDonough moved HB 115 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson,

Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Boharski, Cobb, Cody, Guthrie, Hanson, L. Nelson, Owens, Ramirez, Swysgood, Thoft.
Total 10

Excused: Gould.
Total 1

Absent or not voting: None.
Total 0

HB 145 - Representative Ramirez moved HB 145 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Gould.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Darko moved the adoption of the committee report. Report adopted. (98-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 8 passed as follows:

Ayes: Aafedt, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson,

Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Addy, Bachini, Blotkamp, Brooke, Cody, Darko, DeMars, Hansen, Kilpatrick, Kimberley, Lee, Mercer, Nisbet, O'Connell, Raney, Russell, Squires, Stang, Whalen.
Total 19

Excused: Gould.
Total 1

Absent or not voting: Bardanouve.
Total 1

HB 25 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Campbell, Cobb, Compton, Giacometto, Grinde, Guthrie, Hannah, Hanson, Lee, R. Nelson, Simpkins, Wallin.
Total 12

Excused: Gould.
Total 1

Absent or not voting: None.
Total 0

HB 32 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Kilpatrick, Kimberley, Koehnke, Lee, Menahan, Mercer, Moore, L. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Zook.
Total 69

Noes: Addy, Bradley, Cobb, Cocchiarella, Cohen, Elliott, Eudaily, Harper, Johnson, Kadas, Kasten, Keller, Knapp, McDonough, R. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Ream, Schye, Spaeth, Squires, Stepler, Stickney, Wallin, Wyatt, Mr. Speaker.
Total 28

Excused: Gould.
Total 1

Absent or not voting: Marks, McCormick.

Total 2

HB 58 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cobb, Cohen, Guthrie, Kadas, Schye, Spring, Stang.

Total 7

Excused: Gould.

Total 1

Absent or not voting: Marks.

Total 1

HB 61 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Addy, Cobb, Hannah, Koehnke, Peck, Thomas, Whalen.

Total 7

Excused: Gould.

Total 1

Absent or not voting: Marks.

Total 1

HB 73 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick,

McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Gould.

Total 1

Absent or not voting: Owens.

Total 1

HB 77 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Driscoll.

Total 1

Excused: Gould.

Total 1

Absent or not voting: Cohen.

Total 1

HB 102 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Good, Grinde, Owens, Peck.

Total 4

Excused: Gould.

Total 1

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HJR 9: R. Nelson, Owens, Aafedt, Hayne, and Cohen.

The following sponsor was added to HB 162: Darko.

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

1/19/89

HB 129, introduced bill, be amended as follows:

1. Title, line 7.

Following: "BUSINESS"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 2.

Following: line 2

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 1989."

And, as amended, do pass. Report adopted.

HB 130, do pass. Report adopted.

HB 150, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 3.

Following: line 20

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

1/19/89

HB 87, introduced bill, be amended as follows:

1. Page 1, line 17.

Strike: "who"

Insert: "whose normal physical or mental health or welfare"

2. Page 4, line 12.

Following: "~~imminent~~"

Insert: "imminent and"

And, as amended, do pass. Report adopted.

HB 116, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

1/19/89

HB 135, do pass. Report adopted.

HB 146, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "and other"

Insert: "qualified"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/19/89

HB 74, introduced bill, be amended as follows:

1. Page 4, line 14.

Following: line 13

Strike: " "

Insert: "Senate"

Following: "No."

Strike: " [LC 468]"

Insert: "80"

And, as amended, do pass and be placed on consent calendar. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Friday, January 20, 1989.

Motion carried.

House adjourned at 2:32 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

SEVENTEENTH LEGISLATIVE DAY

Helena, Montana
January 20, 1989

House Chambers
State Capitol

House convened at 1:03 p.m., Mr. Speaker in the Chair. Invocation by Representative Kimberley. Pledge of Allegiance to the Flag.

Roll call. All members present except Gould, Grady, Hannah, Menahan, Peterson, Swysgood, and Swift, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fourteenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/20/89
Correctly printed: HB 13, HB 87, HB 103, HB 107, HB 108, HB 116, HB 124, HB 129, HB 130, HB 135, HB 146, HB 150.
Correctly engrossed: HB 64, HB 74, HB 82, HB 83, HB 113, HB 115, HB 142, HB 144, HB 145.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman): 1/20/89

HB 136, introduced bill, be amended as follows:

1. Title, line 9.
Following: "FERTILIZERS;"
Insert: "AND"
2. Title, line 10.
Strike: "; AND PROVIDING AN EFFECTIVE DATE"
3. Page 8.
Strike: lines 4 and 5 in their entirety

And, as amended, do pass. Report adopted.

HB 137, introduced bill, be amended as follows: 1/19/89

1. Title, line 8.
Following: "PROVISIONS;"
Insert: "AND"
2. Title, lines 8 and 9.
Strike: "; AND PROVIDING AN EFFECTIVE DATE"
3. Page 6.
Strike: lines 9 and 10 in their entirety

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 1/20/89

HB 110, introduced bill, be amended as follows:

1. Page 2, line 18.
Following: "61-1-132"
Insert: "that are not new or used recreational vehicles traveling into or through Montana for delivery to a distributor or a dealer"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 131, do not pass.

LOCAL GOVERNMENT (Darko, Chairman):

1/20/89

HB 121, introduced bill, be amended as follows:

1. Title, line 6.

Following: "AREA"

Insert: "OR FIRE COMPANY"

2. Title, line 9.

Following: "DEPUTY,"

Insert: "FIRE COMPANY,"

3. Title, line 13.

Following: "DISTRICT;"

Insert: "REQUIRING A TWO-THIRDS VOTE FOR IMPOSITION
OF GOVERNMENTAL IMMUNITY FROM SUIT; AND"

4. Page 1, line 20.

Following: "area"

Insert: "or fire company"

5. Page 1, line 24.

Following: "district₂"

Insert: "fire company,"

6. Page 3.

Following: line 15

Insert: "NEW SECTION. Section 4. Requirements for approval of governmental immunity from suit — severability. Because the amendment to 7-33-2208(2) provides governmental immunity from suit for injury to a person or property, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each house for the enactment of the amendment to 7-33-2208(2). If [this act] is not approved by the required vote, the amendment to 7-33-2208(2) is void. The remaining sections and amendments to 7-33-2208 are valid and remain in effect in all valid applications upon enactment."

And, as amended, do pass. Report adopted.

HB 175, introduced bill, be amended as follows:

1. Page 4, line 9.

Strike: "instution"

Insert: "institution"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 176, do not pass.

STATE ADMINISTRATION (J. Brown, Chairman):

1/20/89

HB 167, do pass. Report adopted.

TAXATION (Harrington, Chairman):

1/20/89

HB 4, introduced bill, be amended as follows:

1. Title, line 7.

Following: "AN"

Insert: "IMMEDIATE"

2. Title, line 8.

Strike: "AN"

Insert: "A RETROACTIVE"

3. Page 11, line 11.

Strike: "1990"

Insert: "1991"

4. Page 11, line 15.

Strike: "1990"

Insert: "1991"

5. Page 12, line 15.

Following: "applicability."

Insert: "(1)"

6. Page 12, line 16.

Strike: "July 1, 1989,"

Insert: "on passage and approval"

7. Page 12, lines 16 through 18.

Following: "applies" on line 16

Strike: the remainder of line 16 through "1989" on line 18

Insert: "retroactively, within the meaning of 1-2-109, to January 1, 1989"

8. Page 12.

Following: line 18

Insert: "(2) [This act] applies to all coal severance tax revenue recorded on or after January 1, 1989, regardless of when the tax obligation accrued."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/19/89

SB 61, introduced by Harp

SB 75, introduced by Jacobson

SB 77, introduced by Nathe

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 295, introduced by Addy, referred to Committee on Judiciary

HB 296, introduced by Driscoll, Nisbet, Gage, referred to Committee on Appropriations

HB 297, introduced by Roth, Campbell, referred to Committee on Highways and Transportation

HB 298, introduced by McCormick, Nisbet, O'Connell, Wyatt, Strizich, referred to Committee on State Administration

HB 299, introduced by Addy, Kimberley, Kilpatrick, Hannah, T. Nelson, Driscoll, Simon, Whalen, McDonough, referred to Committee on Education and Cultural Resources

HB 300, introduced by Vincent, Harp, referred to Committee on Business and Economic Development

HB 301, introduced by Bardanouve (by request of the Office of Budget and Program Planning), referred to Committee on Appropriations

HB 302, introduced by Grady, Moore, Brooke, Clark, Pavlovich, J. Brown, Ellison, Weeding, McLane, referred to Committee on State Administration

HB 303, introduced by Menahan, Blotkamp, referred to Committee on Human Services and Aging

HB 304, introduced by Hannah, Bengtson, Harper, Ramirez, Addy, Kimberley, T. Nelson, Keller, Hager, J. Brown, Glaser, Whalen, Kilpatrick, Roth, Rice, Crippen, Patterson, Driscoll, Spaeth, McLane, Simon, McDonough, Bachini, O'Keefe, Nathe, Blotkamp, Mazurek, Rasmussen, Blaylock, Guthrie, Kadas, Darko, Campbell, Keating Bishop, Strizich, Squires, Manning, Grady, Nisbet, Halligan, Schye, Eudaily, Hansen, O'Connell, Walker, Anderson, Cocchiarella, referred to Committee on Human Services and Aging

HB 305, introduced by Russell, Gervais, Stickney, Nisbet, Bachini, Squires, Hanson, Cody, Gage, Spaeth, Yellowtail, Pinsoneault, referred to Committee on Human Services and Aging

HB 306, introduced by Driscoll, Cody, Thomas, Stimatz, Hanson, T. Nelson, Nathe, referred to Committee on Business and Economic Development

HB 307, introduced by Hoffman, Grady, Swysgood, Cocchiarella, D. Brown, referred to Committee on Fish and Game

HB 308, introduced by Squires, Manning, Cobb, Weeding, Davis, Walker, Driscoll, Thomas, Strizich, Jergeson, Hannah, Cocchiarella, Johnson (by request of the Department of Social and Rehabilitation Services and the Department of Family Services), referred to Committee on Human Services and Aging

HB 309, introduced by Hanson, referred to Committee on State Administration

HB 310, introduced by Schye, referred to Committee on Judiciary

HB 311, introduced by Schye, referred to Committee on Education and Cultural Resources

HB 312, introduced by Connelly, Lee, B. Brown, Brooke, Cohen, referred to Committee on Judiciary

HB 313, introduced by Grady, Harper, Cohen, Good, Spaeth, Crippen, Halligan, O'Keefe, Mazurek, Boylan, Addy, Hannah, B. Brown, Rasmussen, Harp, referred to Committee on Judiciary

HB 314, introduced by R. Nelson, Eudaily, Peterson, Peck, Moore, Blaylock, Nathe, Walker (by request of the Teachers' Retirement Board), referred to Committee on State Administration

HJR 10, introduced by J. Brown, Grady, referred to Committee on Local Government

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Compton in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 60 - Representative Cohen moved HB 60, second reading copy, be amended as follows:

1. Title, line 9.

Following: "DATE AND"

Strike: "AN"

2. Title, line 10.

Following: "APPLICABILITY"

Strike: "DATE"

Insert: "DATES"

3. Page 5.

Following: line 16

Insert: "NEW SECTION. Section 5. Transition. A person who, on [the effective date of this act], holds the office of county assessor forfeits his office for failure to take and satisfactorily complete the assessor certification training as provided in [section 3(2)] within 24 months after [the effective date of this act] or his appointment to the office, whichever is later, or for failure to satisfactorily complete annual continuing education as provided in [section 3], unless the board of county commissioners finds that:

(1) the assessor is excused for reasons beyond his control, including illness, a death in the family, or other good cause; or

(2) there is no other qualified person available for appointment as assessor."

Renumber: subsequent sections

4. Page 6, line 4.

Following: "APPLICABILITY."

Insert: "(1)"

Following: "EFFECTIVE"

Strike: "JANUARY"

Insert: "JULY"

Following: "1" on line 4

Strike: the remainder of line 4 through "1991" on line 6

Insert: "1989"

5. Page 6.

Following: line 6

Insert: "(2) [Section 1] applies to:

(a) an assessor whose term of office begins on or after January 1, 1991; or

(b) a person appointed to fill the term of an assessor whose term of office would have begun on January 1, 1991, if the appointee was appointed between the time that the assessor was elected but prior to January 1, 1991.

(3) [Sections 2 through 8] apply July 1, 1989, and thereafter.

(4) [Section 5] terminates January 1, 1991."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Grinde, Hanson, Owens.

Total 3

Excused: Gould, Grady, Hannah, Menahan, Peterson, Swift, Swysgood.

Total 7

Absent or not voting: D. Brown.

Total 1

Representative Harrington moved HB 60, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Hansen, Harper, Harrington, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Quilici, Ramirez, Raney, Ream, Russell, Schye, Squires, Stang, Stickney, Strizich, Swift, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 57

Noes: Aafedt, Bachini, Bardanouve, Bradley, Clark, Cobb, Connelly, Davis, DeBruycker, Glaser, Grinde, Guthrie, Hanson, Hayne, Hoffman, Kasten, Marks, Mercer, O'Keefe, Owens, Patterson, Peck, Phillips, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 37

Excused: Gould, Grady, Hannah, Menahan, Peterson.

Total 5

Absent or not voting: Kadas.

Total 1

Representatives Swift and Swysgood present at this time.

HB 90 - Representative Eudaily moved HB 90 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hanson, Harper, Harrington, Hayne, Iverson, Kasten, Keller, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 68

Noes: Bardanouve, Blotkamp, Brooke, Cobb, Connelly, Davis, DeBruycker, DeMars, Elliott, Gervais, Grinde, Hansen, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Spring, Stepler, Strizich, Westlake, Whalen.

Total 28

Paired: Gould, Aye; Bardanouve, No.

Excused: Grady, Hannah, Menahan, Peterson.

Total 4

Absent or not voting: None.

Total 0

HB 92 - Representative Eudaily moved HB 92 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Grinde, Guthrie.

Total 2

Excused: Gould, Grady, Hannah, Menahan, Peterson.

Total 5

Absent or not voting: Hayne, Keller.

Total 2

HB 94 - Representative Gilbert moved HB 94 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Blotkamp, DeBruycker, Peck, Phillips, Stepler.

Total 5

Excused: Gould, Grady, Hannah, Menahan, Peterson.

Total 5

Absent or not voting: None.

Total 0

HB 120 - Representative Giacometto moved HB 120 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen,

Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Cobb, Gilbert, Grinde, Kimberley, Nisbet, Spaeth, Swysgood.

Total 7

Excused: Gould, Grady, Hannah, Menahan, Peterson.

Total 5

Absent or not voting: Squires.

Total 1

HB 132 - Representative Schye moved HB 132, second reading copy, be amended as follows:

1. Page 1, line 14.

Strike: "\$800"

Insert: "\$350"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Bardonouve, Campbell, Cobb, Grinde, Guthrie, Kasten, Kilpatrick, Lee, Rice, Whalen.

Total 10

Excused: Gould, Grady, Hannah, Menahan, Peterson.

Total 5

Absent or not voting: Thoft.

Total 1

Representative Schye moved HB 132, as amended, do pass. Motion failed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Bradley, D. Brown, Campbell, Cohen, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Giacometto, Gilbert, Glaser, Hanson, Harrington, Johnson, Kilpatrick, McCormick, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Quilici, Ream, Rehberg, Roth, Schye, Squires, Stang, Strizich, Swysgood, Wallin, Whalen, Wyatt.

Total 40

Noes: Addy, Bardanouve, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Darko, Elliott, Ellison, Eudaily, Gervais, Good, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Owens, Ramirez, Raney, Rice, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Stickney, Swift, Thoft, Thomas, Westlake, Zook, Mr. Speaker.
Total 56

Paired: Gilbert, Aye; Hannah, No.

Excused: Gould, Grady, Menahan, Peterson.
Total 4

Absent or not voting: None.
Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Compton moved the adoption of the committee report. Report adopted. (92-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 27 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Lee, Marks, McCormick, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Addy, Bradley, Brooke, Cocchiarella, Cohen, Driscoll, Hansen, Harper, Kadas, Kilpatrick, Koehnke, McDonough, Ream, Russell, Stickney, Whalen.
Total 16

Excused: Gould, Grady, Hannah, Menahan, Peterson.
Total 5

Absent or not voting: O'Connell, O'Keefe.
Total 2

HB 59 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici,

Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Cobb, Grinde, Hansen, Whalen.

Total 4

Excused: Gould, Grady, Hannah, Menahan, Peterson.

Total 5

Absent or not voting: Campbell, Darko.

Total 2

HB 79 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Gould, Grady, Hannah, Menahan, Peterson.

Total 5

Absent or not voting: Keller.

Total 1

HB 91 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peck, Ramirez, Raney, Ream, Rehberg, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: D. Brown, Campbell, Cobb, Cody, DeBruycker, Driscoll, Giacometto, Grinde, Hannah, Kasten, Koehnke, Mercer, R. Nelson, O'Keefe, Patterson, Phillips, Quilici, Rice, Russell, Spaeth, Swysgood, Thoft, Thomas, Whalen.

Total 24

Paired: Gilbert, Aye; Hannah, No.

Excused: Gould, Grady, Menahan, Peterson.

Total 4

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 1/20/89
HB 21, introduced bill, be amended as follows:

1. Page 2, lines 3 and 4.

Following: "insurance" on line 3

Strike: "is duplicative of"

Insert: "may overlap coverage provided under"

And, as amended, do pass. Report adopted.

HB 99, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HJR 1 - Representative Raney moved the 1/18/89 adverse committee report on HJR 1 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Good, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 65

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, DeBruycker, Elliott, Ellison, Gilbert, Glaser, Grinde, Guthrie, Hanson, Hayne, Hoffman, Kasten, Keller, R. Nelson, O'Connell, Owens, Patterson, Phillips, Simpkins, Smith, Stang, Swift, Thomas, Westlake, Zook.

Total 29

Excused: Gould, Grady, Hannah, Menahan, Peterson.

Total 5

Absent or not voting: Koehnke.

Total 1

MOTIONS

Representative Addy moved he be allowed to change his vote on HB 27 from yes to no. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:30 a.m., Saturday, January 21, 1989.

Motion carried.

House adjourned at 2:20 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

EIGHTEENTH LEGISLATIVE DAY

Helena, Montana
January 21, 1989

House Chambers
State Capitol

House convened at 8:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Simpkins. Pledge of Allegiance to the Flag.

Roll call. All members present except Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, and Peck, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/21/89
Correctly printed: HB 4, HB 21, HB 99, HB 110, HB 121, HB 136,
HB 137, HB 167, HB 175.
Correctly engrossed: HB 60, HB 90, HB 92, HB 94, HB 120.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman): 1/20/89

HB 138, introduced bill, be amended as follows:

1. Title, lines 5 through 8.

Following: "THE"

Strike: remainder of line 5 through "FUND" on line 8

Insert: "NAME OF THE FUND IN WHICH THE APPLE INSPEC-
TION ACCOUNT IS LOCATED FROM ENTERPRISE TO
STATE SPECIAL REVENUE; TO CHANGE THE REFERENCE
TO AN APPLE INSPECTION FUND TO AN APPLE INSPEC-
TION ACCOUNT"

2. Page 1, line 14.

Strike: "fund"

Insert: "account"

3. Page 1, lines 14 through 16.

Strike: subsection (1) in its entirety

Insert: "(1) There is an account in the state special revenue fund in
the state treasury known as the apple inspection account."

4. Page 1, line 18.

Strike: "fund"

Insert: "account"

5. Page 1, line 19.

Strike: "fund"

Insert: "account"

And, as amended, do pass. Report adopted.

HB 170, do pass. Report adopted.

HB 190, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman): 1/20/89

HB 199, introduced bill, be amended as follows:

1. Title, line 9.

Strike: line 9 in its entirety and line 10 through "FINES;"

2. Title, line 11.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: “, 37-31-311, AND 37-31-331”

3. Page 2, line 4.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 220, do pass. Report adopted.

Adverse Committee Report

HB 198, do not pass.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

1/20/89

HB 228, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: “may”

Insert: “, without a vote of the electors of the district,”

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORTS

HB 131 - Representative Stang moved the 1/20/89 adverse committee report on HB 131 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Eudaily, Good, Grinde, Hansen, Hanson, Harper, Harrington, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Lee, McDonough, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Squires, Stang, Stickney, Wyatt, Mr. Speaker.

Total 50

Noes: Blotkamp, Boharski, D. Brown, Campbell, Cobb, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Grady, Guthrie, Hoffman, Iverson, Kasten, Koehnke, McCormick, Menahan, Mercer, Moore, L. Nelson, Patterson, Phillips, Quilici, Raney, Rice, Simpkins, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook.

Total 40

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Hayne, Spaeth, Strizich.

Total 3

HB 176 - Representative Darko moved the 1/20/89 adverse committee report on HB 176 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye,

Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: DeBruycker.
Total 1

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.
Total 7

Absent or not voting: Elliott, Hanson, Strizich.
Total 3

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/20/89

SB 85, introduced by Himsel
SB 89, introduced by B. Brown
SB 90, introduced by B. Brown

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 315, introduced by Simon, Beck, Hannah, D. Brown, referred to Committee on Local Government
HB 316, introduced by Whalen, Kimberley, Bachini, Clark, Cohen, referred to Committee on Judiciary
HB 317, introduced by Eudaily, R. Nelson, Peck (by request of the Teachers' Retirement Board), referred to Committee on State Administration
HB 318, introduced by Simon, referred to Committee on Business and Economic Development
HB 319, introduced by Simon, referred to Committee on Human Services and Aging
HB 320, introduced by Mercer, D. Brown, McDonough, Addy, Darko, L. Nelson, Aafedt, Rice, Wyatt, Raney, Knapp, Eudaily, Brooke, Stickney, Crippen, Strizich, Walker, Lynch, Van Valkenburg, Mazurek, Boharski (by request of the House Judiciary Committee), referred to Committee on Appropriations
HB 321, introduced by Spaeth, referred to Committee on Business and Economic Development
HB 322, introduced by R. Nelson, referred to Committee on Business and Economic Development
HB 323, introduced by Driscoll (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations
HB 324, introduced by Davis, Harding, Eudaily, L. Nelson, referred to Committee on Education and Cultural Resources
HB 325, introduced by Marks, Cobb, Keating, referred to Committee on State Administration
HB 326, introduced by Rice, Ramirez, Addy, referred to Committee on Business and Economic Development
HB 327, introduced by Giacometto, O'Keefe, Gilbert, Gage, Keating (by request of the Department of State Lands), referred to Committee on Natural Resources

HJR 11, introduced by Swift, Cobb, Thomas, Hoffman, Devlin, Spaeth,
referred to Committee on Natural Resources

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 13 - Representative Quilici moved HB 13, second reading copy, be amended as follows:

1. Page 4, lines 10 and 11.

Following: "PURPOSELY" on line 10

Strike: ", KNOWINGLY, OR EITHER OR BOTH,"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

Representative Quilici moved HB 13, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Daily, Harper, Pavlovich, Ream.

Total 4

HB 87 - Representative Kilpatrick moved consideration of HB 87 be passed for the day. Motion carried.

HB 103 - Representative Harper moved HB 103 be placed below HB 116. Motion carried.

HB 107 - Representative Spaeth moved HB 107 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 76

Noes: Cobb, DeBruycker, Driscoll, Ellison, Giacometto, Guthrie, Hanson, Hoffman, Kasten, T. Nelson, Nisbet, Phillips, Spring, Swift, Thomas, Wallin, Zook.

Total 17

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 108 - Representative Whalen moved HB 108 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Clark, Hanson, Knapp, Zook.

Total 4

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Owens, Smith.

Total 2

HB 116 - Representative McDonough moved HB 116 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cody.

Total 1

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Giacometto.

Total 1

HB 103 - Representative Whalen moved HB 103, second reading copy, be amended. Amendment failed. (20-72)

Representative Whalen moved consideration of HB 103 be passed for the day. Motion carried.

HB 124 - Representative Clark moved HB 124 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Campbell, Ellison, Gilbert, Swysgood, Thoft, Westlake.

Total 6

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Bardanouve.

Total 1

HB 129 - Representative Stang moved HB 129 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Bardanouve, Cohen.

Total 2

HB 130 - Representative Stang moved HB 130 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Giacometto.

Total 2

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Bardanouve, Grady, Patterson.

Total 3

HB 135 - Representative Mercer moved consideration of HB 135 be passed for the day. Motion carried.

HB 146 - Representative Strizich moved HB 146 do pass.

Representative Bardanouve made a substitute motion that consideration of HB 146 be passed for the day. Motion carried.

HB 150 - Representative Johnson moved HB 150 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: D. Brown, Peterson.

Total 2

SJR 1 - Representative Harper moved SJR 1 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Gould.

Total 1

Paired: Iverson, Aye; Gould, No.

Excused: Aafedt, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 6

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (92-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 64 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Cody, Guthrie.

Total 2

HB 82 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Hanson.

Total 1

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Clark, Kilpatrick, Kimberley.

Total 3

HB 83 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 91

Noes: None.

Total 0

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Cocchiarella, Mr. Speaker.

Total 2

HB 89 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 113 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 115 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Guthrie, Swysgood, Thoft.

Total 3

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Spring.

Total 1

HB 141 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.

Total 7

Absent or not voting: Hoffman.

Total 1

HB 145 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Aafedt, Gould, Hannah, Kadas, Marks, R. Nelson, Peck.
Total 7

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 277: Wyatt, L. Nelson, Johnson, Gervais, Cocchiarella, Campbell, Ellison, D. Brown, and Walker.

The following sponsors were added to HB 289: Steppler, Stang, Gilbert, and Kasten.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Lee Berlin, Polson
Bob Cyr, Lincoln
Steve Elpel, Richey
Blyth Gardner, Lewistown
Erin Johnson, Kalispell
Kyle Kuntz, Harlem
Julie Micheletti, Anaconda
Josh Stollfus, Carter

Representative Harper moved the House adjourn until 1:00 p.m., Monday, January 23, 1989.

Motion carried.

House adjourned at 9:55 a.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

NINETEENTH LEGISLATIVE DAY

Helena, Montana
January 23, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative L. Nelson. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, Cody, Compton, Driscoll, Gould, McDonough, O'Connell, Patterson, Rehberg, and Roth, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifteenth and sixteenth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/23/89
Correctly printed: HB 138, HB 170, HB 190, HB 199, HB 220, HB 228.

Correctly engrossed: HB 13, HB 107, HB 108, HB 116, HB 124, HB 129, HB 130, HB 150.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

1/20/89

HB 195, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "40"

Insert: "30"

2. Page 3, line 7.

Strike: "40"

Insert: "30"

Following: "days"

Insert: "after the appeal"

And, as amended, do pass. Report adopted.

HB 213, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "WAIVING"

Insert: "TO PERMIT THE BOARD OF REGENTS TO WAIVE"

2. Page 1, line 12.

Strike: "(1)"

3. Page 1, line 13.

Strike: "(a)"

Insert: "(1)"

4. Page 1, line 16.

Strike: "(b)"

Insert: "(2)"

5. Page 1, line 25.

Strike: "(c)"

Insert: "(3)"

6. Page 2, lines 1 and 2.

Following: "age"

Strike: the remainder of line 1 through "shall" on line 2

Insert: "; (4)"

7. Page 2, line 14.

Strike: "patrolman"

Insert: "patrol officer"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

1/20/89

HB 86, be tabled. Report adopted.

HB 192, introduced bill, be amended as follows:

1. Title, line 7.

Following: "SCIENCES"

Insert: "TO SEEK"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 224, do not pass.

ADVERSE COMMITTEE REPORT

HB 198 - Representative Pavlovich moved the 1/20/89 adverse committee report on HB 198 be adopted.

Representative J. Brown made a substitute motion HB 198 be referred to second reading. Motion failed. (35-53)

Thereupon, the adverse committee report was adopted as follows:

Ayes: Aafedt, Bardanouve, Blotkamp, Boharski, D. Brown, Campbell, Clark, Cobb, Cohen, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook.

Total 66

Noes: Addy, Bachini, Brooke, J. Brown, Cocchiarella, Connelly, Daily, Darko, Grady, Harper, Harrington, Kadas, Kilpatrick, Menahan, Moore, Peck, Ream, Russell, Westlake, Whalen, Mr. Speaker.

Total 21

Excused: Bradley, Cody, Compton, Driscoll, Gould, McDonough, O'Connell, Patterson, Rehberg, Roth.

Total 10

Absent or not voting: McCormick, Mercer, Strizich.

Total 3

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/21/89

SB 14, introduced by Beck

SB 71, introduced by Severson

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 328**, introduced by Hanson, Stickney, Zook, Devlin, referred to Committee on Human Services and Aging
- HB 329**, introduced by Daily, Campbell, Pavlovich, Quilici, Pipinich, Van Valkenburg, Menahan, Swysgood, Blotkamp, Harrington, Harper, D. Brown, Stimatz, Vincent, Norman, Jacobson, Anderson, Squires, Ream, Lynch, Brooke, Eudaily, Beck, referred to Committee on Appropriations
- HB 330**, introduced by J. Brown, referred to Committee on Judiciary
- HB 331**, introduced by Harper, Giacometto, O'Keefe, referred to Committee on Highways and Transportation
- HB 332**, introduced by Connelly, Harp, referred to Committee on Education and Cultural Resources
- HB 333**, introduced by Ream, D. Brown, Halligan (by request of the Department of Health and Environmental Sciences), referred to Committee on Appropriations
- HB 334**, introduced by Connelly, Halligan, referred to Committee on Highways and Transportation
- HB 335**, introduced by Hayne, Ellison, Pavlovich, Smith, Gervais, Giacometto, referred to Committee on Education and Cultural Resources
- HB 336**, introduced by Driscoll (by request of the Department of Labor and Industry), referred to Committee on Judiciary
- HB 337**, introduced by Stang, Clark, referred to Committee on Highways and Transportation
- HB 338**, introduced by Thomas, Driscoll, referred to Committee on Local Government
- HB 339**, introduced by Thomas (by request of the Division of Workers' Compensation), referred to Committee on Labor and Employment Relations
- HB 340**, introduced by Lee, referred to Committee on Local Government
- HB 341**, introduced by McCormick, referred to Committee on Business and Economic Development
- HB 342**, introduced by Darko, Peterson, Ellison, Strizich, referred to Committee on Fish and Game
- HB 343**, introduced by Hansen, Cocchiarella, Moore, Strizich, referred to Committee on Business and Economic Development
- HB 344**, introduced by Nisbet, McCormick, O'Connell, Cody, Wyatt, Phillips, Strizich, Good, Walker, Simpkins, Manning, referred to Committee on Education and Cultural Resources
- HB 345**, introduced by Thomas, O'Keefe (by request of the Secretary of State), referred to Committee on State Administration
- HB 346**, introduced by Rice, Spring, Harper, Kimberley, Bradley, Keller, Cocchiarella, Davis, Mazurek, O'Keefe, Johnson, Halligan, referred to Committee on Education and Cultural Resources
- HB 347**, introduced by Smith (by request of the Division of Workers' Compensation), referred to Committee on Labor and Employment Relations
- HB 348**, introduced by Marks (by request of the Division of Workers' Compensation), referred to Committee on Labor and Employment Relations

HB 349, introduced by Strizich, Van Valkenburg, Halligan, Pavlovich, Cody, Mazurek, Walker, O'Connell, Wyatt, Phillips, Simpkins, Darko, J. Brown, Clark, Stang, Driscoll, Cocchiarella, Good, Squires, Ream, Harrington, Nisbet, Russell, Gervais, McCormick, Connelly, DeMars, Johnson, Cohen, McDonough, referred to Committee on Judiciary

HB 350, introduced by Strizich, Pinsoneault, Halligan, Mazurek, Pavlovich, Cody, Walker, O'Connell, Wyatt, Phillips, Simpkins, Clark, Stang, Driscoll, Darko, Good, Brooke, D. Brown, DeMars, Cocchiarella, Davis, Devlin, Gervais, Johnson, Nisbet, Russell, Cohen, McDonough, referred to Committee on Judiciary

HB 351, introduced by Strizich, Halligan, Clark, O'Connell, Campbell, Phillips, Simpkins, Darko, Good, Pavlovich, Cocchiarella, Ream, Harrington, Squires, Davis, Brooke, Hansen, Moore, Walker, Nisbet, Cody, Russell, Gervais, Johnson, Cohen, McDonough, referred to Committee on Judiciary

HB 352, introduced by Elliott, Grinde, Ream, DeMars, Guthrie, referred to Committee on Agriculture, Livestock, and Irrigation

HB 353, introduced by Cobb, Harper, O'Connell, Lee, O'Keefe, Rice, J. Brown, Grady, Simon, Thomas, Mercer, Guthrie, Kasten, Boharski, referred to Committee on State Administration

HB 354, introduced by Mercer, Jacobson, Marks, Peck, Nathe, Regan, Vincent, referred to Committee on Appropriations

HJR 12, introduced by Bradley, Lynch, D. Brown, Addy, Tveit, Grady, Harrington, Guthrie, Pavlovich, Thomas, referred to Committee on Highways and Transportation

MOTIONS

Representative Quilici moved consideration of HB 99 be passed for the day. Motion carried.

Representative Whalen moved consideration of HB 103 be passed for the day. Motion carried.

Representative Gilbert moved HJR 7 be taken from the Committee on Taxation and rereferred to the Committee on State Administration. Motion carried.

Representative Simon moved HB 319 be taken from the Committee on Human Services and Aging and rereferred to the Committee on Business and Economic Development. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Thomas in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 4 - Representative Hanson moved HB 4 do pass.

Representatives Bradley, McDonough, O'Connell, Rehberg, and Roth present at this time.

Representative Kadas made a substitute motion that HB 4 be placed below HB 175. Motion carried.

HB 21 - Representative Marks moved HB 21 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Brooke.
Total 1

Excused: Cody, Compton, Driscoll, Gould, Patterson.
Total 5

Absent or not voting: None.
Total 0

Representative Compton present at this time.

HB 87 - Representative Kilpatrick moved HB 87 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Cody, Driscoll, Gould, Patterson.
Total 4

Absent or not voting: D. Brown, Hansen, Kadas.
Total 3

HB 110 - Representative Eudaily moved HB 110 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson,

T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 90

Noes: DeBruycker, O'Keefe, Spaeth, Wyatt.

Total 4

Excused: Cody, Driscoll, Gould, Patterson.

Total 4

Absent or not voting: Harrington, Moore.

Total 2

HB 121 - Representative Wallin moved HB 121 do pass.

Representative Cody present at this time.

Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Menahan, Raney.

Total 2

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: Marks, Schye.

Total 2

HB 135 - Representative Mercer moved HB 135 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Kasten, Ramirez, Stang.
Total 3

Excused: Driscoll, Gould, Patterson.
Total 3

Absent or not voting: Hansen, Harrington.
Total 2

HB 136 - Representative DeMars moved HB 136 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Driscoll, Gould, Patterson.
Total 3

Absent or not voting: D. Brown, Harrington.
Total 2

HB 137 - Representative DeMars moved HB 137 do pass.

Representative Stang made a substitute motion that consideration of HB 137 be passed for the day. Motion carried.

HB 146 - Representative Strizich moved HB 146, second reading copy, be amended as follows:

1. Page 1, line 12.
Following: line 12
Insert:

“Statement of Intent

A statement of intent is included with this bill to make clear the legislature's intent with regard to rules that must be adopted under the extension of authority included in [section 4] of the bill.

It is the intent of this bill to authorize attendance at the Montana law enforcement academy of qualified individuals who are not at the time employed as law enforcement officers. Attendance is intended to be on a space-available basis. Rules should be adopted to insure continued priority for the training of law enforcement officers. Rules should assure that law enforcement officer training would not be disrupted or displaced by the attendance of other qualified individuals.

It is the further intent of the legislature that all costs of training are borne by the other qualified individuals and not by the state of Montana. Should rules be required to assure other qualified individuals

bear the cost of the training, including the establishment of an adequate fee structure, it is the intent of the legislature that such rules be adopted."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.

Total 0

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: Connelly, Kadas.

Total 2

Representative Strizich moved HB 146, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.

Total 0

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: Kadas.

Total 1

HB 167 - Representative Stickney moved HB 167 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady,

January 23, 1989

Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Marks, Swysgood.

Total 2

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: Kadas.

Total 1

HB 175 - Representative Hansen moved HB 175 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Giacometto, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Boharski, Campbell, Cobb, Ellison, Gervais, Gilbert, Glaser, Hannah, Kasten, Mercer, O'Connell, Phillips, Simon, Swysgood, Thoft, Thomas.

Total 16

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: None.

Total 0

HB 4 - Representative Hanson moved HB 4 do pass.

Representative Kadas made a substitute motion to revert to the body of the bill for purpose of amendment. Motion carried.

Representative Kadas moved HB 4, second reading copy, be amended. Amendment failed. (39-59)

Representative Hanson moved HB 4 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Daily, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith,

Spring, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook.

Total 69

Noes: Addy, Bardanouve, Bradley, Brooke, Cocchiarella, Cohen, Connelly, Darko, Davis, Gervais, Hansen, Harper, Johnson, Kadas, Kilpatrick, Kimberley, McDonough, Moore, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, Russell, Spaeth, Squires, Strizich, Whalen, Mr. Speaker.

Total 30

Paired: Gould, Patterson, Ayes; Harper, Raney, Noes.

Excused: Driscoll.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Thomas moved the adoption of the committee report. Report adopted. (81-15)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 60 passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Guthrie, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Russell, Schye, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 72

Noes: Addy, Bardanouve, Clark, Cobb, Davis, DeBruycker, Giacometto, Grinde, Hannah, Hanson, Hayne, Hoffman, R. Nelson, O'Keefe, Peck, Phillips, Rehberg, Rice, Roth, Simon, Simpkins, Spaeth, Swysgood, Zook.

Total 24

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: Kilpatrick.

Total 1

HB 74 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe,

Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Driscoll, Gould, Patterson.
Total 3

Absent or not voting: None.
Total 0

HB 90 passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, Owens, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Stang, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Bardanouve, Brooke, Cobb, Daily, Davis, DeBruycker, DeMars, Elliott, Gervais, Harper, Kadas, Kilpatrick, Kimberley, Koehnke, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Spring, Squires, Steppler, Strizich, Westlake, Whalen.
Total 26

Paired: Gould, Aye; Bardanouve, No.

Excused: Driscoll, Patterson.
Total 2

Absent or not voting: Bachini.
Total 1

HB 92 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: D. Brown, Roth.

Total 2

HB 94 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Blotkamp, DeBruycker, Menahan.

Total 3

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: None.

Total 0

HB 120 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Cobb, Grinde, Nisbet, Spaeth.

Total 5

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: None.

Total 0

HB 142 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman,

Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cohen.

Total 1

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: None.

Total 0

HB 144 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connolly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Driscoll, Gould, Patterson.

Total 3

Absent or not voting: Clark.

Total 1

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

1/23/89

HB 240, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "participation"

Insert: "in the planning of and"

And, as amended, do pass. Report adopted.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 153: Marks, Aklestad, Thomas, Hayne, Owens, Peterson, and Spring.

The following sponsors were added to HB 154: Marks, Aklestad, Thomas, Hayne, Owens, Peterson, and Spring.

The following sponsors were added to HB 155: Marks, Aklestad, Thomas, Hayne, Owens, Peterson, and Spring.

The following sponsors were added to HB 156: Marks, Aklestad, Thayer, Thomas, Hayne, Owens, Peterson, and Spring.

The following sponsors were added to HB 157: Marks, Aklestad, Thayer, Thomas, Hayne, Owens, Peterson, and Spring.

The following sponsor was added to HB 231: Nisbet.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Tuesday, January 24, 1989.

Motion carried.

House adjourned at 3:04 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWENTIETH LEGISLATIVE DAY

Helena, Montana
January 24, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Spring. Pledge of Allegiance to the Flag.

Roll call. All members present except Hansen and McDonough, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventeenth and eighteenth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/24/89

Correctly printed: HB 192, HB 195, HB 213, HB 240.

Correctly engrossed: HB 4, HB 21, HB 87, HB 110, HB 121, HB 135, HB 136, HB 146, HB 167, HB 175.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

1/24/89

HB 229, do pass. Report adopted.

HB 230, do pass. Report adopted.

HB 233, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

1/23/89

HB 243, introduced bill, be amended as follows:

1. Page 6, line 13.

Strike: "workshop"

Insert: "employment provider"

And, as amended, do pass. Report adopted.

HB 252, do pass. Report adopted.

HB 259, be tabled. Report adopted.

ADVERSE COMMITTEE REPORT

HB 224 - Representative Strizich moved the 1/20/89 adverse committee report on HB 224 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Good, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, Moore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Simon, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 50

Noes: Aafedt, Blotkamp, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 48

Excused: Hansen, McDonough.

Total 2

Absent or not voting: None.

Total 0

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/23/89

SB 62, introduced by Farrell

SB 72, introduced by Meyer

SB 73, introduced by Meyer

SB 86, introduced by Vaughn

SB 110, introduced by Jacobson

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 355, introduced by Cohen, Crippen, Russell, referred to Committee on Business and Economic Development

HB 356, introduced by Phillips, DeMars, Strizich, referred to Committee on Fish and Game

HB 357, introduced by Phillips, referred to Committee on State Administration

HB 358, introduced by Elliott, Cody, Peterson, Clark, Zook, Blotkamp, Peck, Guthrie, L. Nelson, Bachini, Boylan, Eudaily, Steppler, Connelly, Schye, referred to Committee on Agriculture, Livestock, and Irrigation

HB 359, introduced by Cobb, Beck, Giacometto, Glaser, referred to Committee on Taxation

HB 360, introduced by Connelly, Harp, Lee, Owens, Smith, Peterson, Mercer, Cohen, R. Nelson, B. Brown, Boharski, referred to Committee on Agriculture, Livestock, and Irrigation

HB 361, introduced by Spaeth, Devlin, Jergeson, Iverson, Swift, Kimberley (by request of the Department of State Lands), referred to Committee on State Administration

HB 362, introduced by D. Brown (by request of the Department of State Lands and the Department of Health and Environmental Sciences), referred to Committee on Natural Resources

HB 363, introduced by Lee, Harding, referred to Committee on Highways and Transportation

HB 364, introduced by R. Nelson (by request of the Department of Health and Environmental Sciences), referred to Committee on Education and Cultural Resources

HB 365, introduced by Harrington, Hannah, Bishop, Giacometto, Addy, Kadas, Beck, referred to Committee on State Administration

HB 366, introduced by Stang, referred to Committee on Local Government

MOTIONS

Representative D. Brown moved HB 103 be taken from second reading and rereferred to the Committee on Judiciary. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 99 - Representative Driscoll moved HB 99 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Hansen, McDonough.

Total 2

Absent or not voting: Guthrie, Harrington, Kadas, Moore.

Total 4

Representative Hansen present at this time.

HB 137 - Representative DeMars moved HB 137, second reading copy, be amended as follows:

1. Page 2, line 12.

Following: "nonrefundable fee of"

Strike: "\$5 plus 10 times the inspection fee set by the department in 80-9-206(1)(a)"

Insert: "\$6.50"

2. Page 1, line 22.

Following: "\$25"

Strike: "\$50"

Insert: "\$25"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: McDonough.

Total 1

Absent or not voting: None.

Total 0

Representative DeMars moved HB 137, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Hannah, Nisbet, Swysgood.

Total 3

Excused: McDonough.

Total 1

Absent or not voting: None.

Total 0

HB 138 - Representative DeMars moved HB 138 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: McDonough.

Total 1

Absent or not voting: Hansen.

Total 1

HB 170 - Representative Hayne moved HB 170 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Daily, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Ramirez, Ream, Rehberg, Roth, Schye, Simon, Simpkins, Smith, Spring, Squires, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.
Total 63

Noes: Addy, Blotkamp, Bradley, Brooke, Cody, Cohen, Connelly, Darko, Davis, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Moore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Rice, Russell, Spaeth, Stang, Steppler, Stickney, Whalen, Wyatt, Mr. Speaker.
Total 36

Excused: McDonough.
Total 1

Absent or not voting: None.
Total 0

HB 190 - Representative Hanson moved HB 190 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Bradley, J. Brown, Clark, Compton, Daily, Davis, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hanson, Harper, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Ream, Rehberg, Roth, Schye, Simon, Simpkins, Smith, Spring, Thomas, Wallin, Zook.
Total 56

Noes: Addy, Boharski, Brooke, D. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, DeBruycker, DeMars, Gervais, Glaser, Grady, Hannah, Hansen, Harrington, Johnson, Kilpatrick, Kimberley, Moore, L. Nelson, Nisbet, O'Keefe, Quilici, Raney, Rice, Russell, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 43

Excused: McDonough.
Total 1

Absent or not voting: None.
Total 0

HB 199 - Representative J. Brown moved HB 199 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick,

Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Gilbert, T. Nelson.

Total 2

Excused: McDonough.

Total 1

Absent or not voting: None.

Total 0

Representative Driscoll assumed the Chair at this time.

HB 220 - Representative Vincent moved HB 220 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connolly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, Cobb, Good, Guthrie, Hannah, Hayne, Lee, Phillips, Simpkins, Swift, Swysgood, Thoft.

Total 12

Excused: McDonough.

Total 1

Absent or not voting: None.

Total 0

HB 228 - Representative Harrington moved HB 228 do pass.

Representative Hannah made a substitute motion that consideration of HB 228 be passed for the day. Motion carried.

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (95-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 13 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: McDonough.

Total 1

Absent or not voting: Darko, Keller.

Total 2

HB 107 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Cobb, DeBruycker, Driscoll, Grinde, Guthrie, Hannah, Hanson, Kasten, Nisbet, Peterson, Thomas, Wallin, Whalen.

Total 14

Excused: McDonough.

Total 1

Absent or not voting: Cody.

Total 1

HB 108 failed to pass as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Moore, L. Nelson, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 40

Noes: Aafedt, Bachini, Blotkamp, Boharski, Campbell, Clark, Cobb, Compton, Davis, DeBruycker, Ellison, Eudaily, Gervais, Giacometto,

Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peck, Phillips, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 56

Excused: McDonough.

Total 1

Absent or not voting: Brooke, Cody, Peterson.

Total 3

HB 116 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Cody.

Total 1

Excused: McDonough.

Total 1

Absent or not voting: Phillips.

Total 1

HB 124 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, Ellison, Giacometto, Gilbert, Grady, Hannah, R. Nelson, Peterson, Spring, Thoft, Westlake.

Total 11

Excused: McDonough.

Total 1

Absent or not voting: Cocchiarella.

Total 1

HB 129 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Campbell.

Total 1

Excused: McDonough.

Total 1

Absent or not voting: Good.

Total 1

HB 130 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Giacometto, Hannah, R. Nelson.

Total 4

Excused: McDonough.

Total 1

Absent or not voting: Keller.

Total 1

HB 150 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer,

Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: McDonough.

Total 1

Absent or not voting: Good, Keller.

Total 2

SJR 1 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, Nelson, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Daily, DeBruycker, Giacometto, Gilbert, Gould, Hannah.

Total 6

Excused: McDonough.

Total 1

Absent or not voting: Clark.

Total 1

REPORTS OF STANDING COMMITTEES

JUDICIARY (D. Brown, Chairman):

1/24/89

HB 172, introduced bill, be amended as follows:

1. Page 1, line 23.

Strike: "sufficiently hard"

Insert: "with the purpose"

2. Page 1, line 25, through line 1 on page 2.

Strike: "and he" on page 1, line 25, through "manufactured" on page 2, line 1

And, as amended, do pass. Report adopted.

HB 189, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/24/89

HB 216, do pass. Report adopted.

Adverse Committee Report

HB 140, do not pass.

HJR 5, do not pass.

SPECIAL ORDERS OF THE DAY

The following chief sponsor was removed from HB 272: Hanson.

The following chief sponsor was added to HB 272: Harper.

The following sponsors were added to HB 289: Tveit and Giacometto.

The following sponsors were added to HB 338: Compton, Harrington, Iverson, Swift, Campbell, Peterson, and Spaeth.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Wednesday, January 25, 1989.

Motion carried.

House adjourned at 2:25 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWENTY-FIRST LEGISLATIVE DAY

Helena, Montana
January 25, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Cody. Pledge of Allegiance to the Flag.

Roll call. All members present except Harrington, Koehnke, and McDonough, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the nineteenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/25/89
Correctly printed: HB 172, HB 189, HB 216, HB 229, HB 230, HB 233, HB 243, HB 252.
Correctly engrossed: HB 99, HB 137, HB 138, HB 170, HB 190, HB 199, HB 220.

FISH AND GAME (Ream, Chairman): 1/24/89
HB 174, introduced bill, be amended as follows:

1. Page 3, line 6.

Following: "as"

Strike: "suffering from permanent blindness"

Insert: "a blind individual, as defined in 53-7-301,"

And, as amended, do pass. Report adopted.

HB 290, do pass. Report adopted.

Adverse Committee Report

HB 187, do not pass.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 1/25/89
HB 28, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Following: "WAGE" on line 5

Strike: the remainder of line 5 through "1990" on line 6

2. Title, lines 7 through 9.

Following: "WORKERS" on line 7

Strike: the remainder of line 7 through "INDEX" on line 9

3. Page 1, line 21.

Following: "least"

Strike: "\$4.25"

Insert: "\$3.75"

Following: "1989;"

Insert: "and"

4. Page 1, line 22.

Following: "least"

Strike: "\$4.65"

Insert: "\$4.00"

Following: "after"

Strike: "November 30, 1989;"

Insert: "September 30, 1990"

5. Page 1, line 23 through page 2, line 11.

Following: line 22

Strike: "and" on line 23 through "workers" on page 2, line 11.

6. Page 3, line 5.

Following: "~~\$575~~"

Strike: "\$849.63"

Insert: "\$735"

7. Page 3, lines 4 and 5.

Following: "than" on line 4

Strike: "the" through "(i)" on line 5

8. Page 3, line 6.

Following: "after"

Strike: "December 30"

Insert: "September 30"

Following: "1989"

Strike: "; and"

9. Page 3, lines 7 through 15.

Following: line 6

Strike: subsection (ii) through "index" on line 15

And, as amended, do pass. Report adopted.

HB 214, do pass. Report adopted.

1/24/89

HB 249, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

1/24/89

HB 160, do pass. Report adopted.

HB 180, do pass. Report adopted.

HB 182, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "50"

Insert: "75"

2. Page 1, line 19.

Strike: "50%"

Insert: "75%"

And, as amended, do pass. Report adopted.

HB 183, do pass. Report adopted.

HB 205, introduced bill, be amended as follows:

1. Page 2, line 12.

Following: "county"

Insert: ", except that part of the county within the limits of an incorporated city or town,"

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 140 - Representative J. Brown moved the 1/24/89 adverse committee report on HB 140 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton,

Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Grady, Hansen, Harper, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Steppler, Stickney, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 68

Noes: Boharski, Clark, Cobb, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Lee, Owens, Patterson, Peterson, Simpkins, Smith, Spring, Strizich, Swift, Swysgood, Thoft, Westlake.

Total 29

Excused: Harrington, Koehnke, McDonough.

Total 3

Absent or not voting: None.

Total 0

HJR 5 - Representative J. Brown moved the 1/24/89 adverse committee report on HJR 5 be adopted.

Representative Bardanoue made a substitute motion that HJR 5 be referred to second reading.

Representative Whalen made a substitute motion for all motions pending that HJR 5 be taken from Order of Business No. 2 and rereferred to the Committee on State Administration. Motion carried.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/24/89

SB 42, introduced by Eck

SB 87, introduced by Rasmussen

SB 113, introduced by Tveit

SB 121, introduced by Jergeson

House bill concurred in and returned to the House:

1/24/89

HB 16, introduced by Driscoll

House joint resolution concurred in as amended and returned to the House for concurrence in Senate amendments:

1/24/89

HJR 3, introduced by Menahan

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 367, introduced by O'Keefe, Galt, Weeding, Iverson, Westlake, Rehberg, Spaeth, Schye, Thoft, Harper (by request of the Department of Natural Resources and Conservation), referred to Committee on Natural Resources

HB 368, introduced by Cocchiarella, referred to Committee on Judiciary

HB 369, introduced by Cocchiarella, referred to Committee on Judiciary

- HB 370**, introduced by Cocchiarella, O'Keefe, referred to Committee on State Administration
- HB 371**, introduced by Pavlovich, referred to Committee on Business and Economic Development
- HB 372**, introduced by Gould, Kadas, referred to Committee on Local Government
- HB 373**, introduced by Hannah, Driscoll, Spaeth, Simon, referred to Committee on State Administration
- HB 374**, introduced by Peck, Mercer, Davis, referred to Committee on Education and Cultural Resources
- HB 375**, introduced by Gould, referred to Committee on Local Government
- HB 376**, introduced by Gould, Hannah, referred to Committee on Education and Cultural Resources
- HB 377**, introduced by Daily, referred to Committee on Human Services and Aging
- HB 378**, introduced by Squires, Manning, Good, Jacobson, Menahan, Eck, Daily, Quilici, Keating, Rasmussen, Strizich, Phillips, Driscoll, Spaeth, Thomas, Cocchiarella, J. Brown, Bachini, referred to Committee on Human Services and Aging
- HB 379**, introduced by Elliott, Stang, referred to Committee on Fish and Game
- HB 380**, introduced by Rehberg, Marks, referred to Committee on Natural Resources
- HB 381**, introduced by Menahan, Whalen, Pavlovich, Daily, Bradley, Quilici, Driscoll, referred to Committee on Human Services and Aging
- HB 382**, introduced by Hansen, Moore, Driscoll, Daily, Elliott, O'Keefe, Harper, Schye, referred to Committee on Human Services and Aging
- HB 383**, introduced by Ellison, Ream (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game
- HB 384**, introduced by Spring, Wallin, Bradley, Vincent, referred to Committee on Local Government
- HB 385**, introduced by Simon, Addy, Kimberley, Whalen, Ramirez, Keating, Rehberg, Hannah, Glaser, Daily, Pavlovich, Kilpatrick, T. Nelson, Roth, Regan, Bishop, McLane, Blaylock, Keller, Bradley, Hager, Bengtson, Crippen, Severson, B. Brown, referred to Committee on State Administration
- HB 386**, introduced by Knapp, Giacometto, referred to Committee on Judiciary
- HB 387**, introduced by Mercer, Spaeth, referred to Committee on State Administration
- HB 388**, introduced by Mercer, referred to Committee on Local Government
- HB 389**, introduced by Campbell, McLane, Rasmussen, Grady, Peterson, Rice, Cocchiarella, referred to Committee on Human Services and Aging
- HB 390**, introduced by Spaeth, Vincent, Mercer, referred to Committee on Judiciary
- HB 391**, introduced by Driscoll, Smith (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations
- HB 392**, introduced by Darko, Peterson, Vaughn, referred to Committee on Local Government
- HB 393**, introduced by Darko, Strizich, Peterson, Vaughn, referred to Committee on Judiciary
- HB 394**, introduced by Clark (by request of the Department of Justice), referred to Committee on Highways and Transportation

- HB 395**, introduced by Cody, referred to Committee on Human Services and Aging
- HB 396**, introduced by Davis, Gage (by request of the Board of Speech Pathologists and Audiologists), referred to Committee on State Administration
- HB 397**, introduced by Eudaily (by request of the Commissioner of Higher Education and the Board of Regents of Higher Education), referred to Committee on Education and Cultural Resources
- HB 398**, introduced by Westlake, Koehnke, Boylan, Mercer, D. Brown, Hofman, Pinsoneault, Spring, referred to Committee on Agriculture, Livestock, and Irrigation
- HB 399**, introduced by O'Keefe, Weeding, Iverson, Harper (by request of the Department of Natural Resources and Conservation), referred to Committee on Natural Resources
- HB 400**, introduced by Vincent, referred to Committee on Education and Cultural Resources
- HB 401**, introduced by D. Brown, Mercer, Strizich, Hannah, Mazurek (by request of the Department of Institutions), referred to Committee on Judiciary
- HB 402**, introduced by J. Brown, Rice, Mazurek, Grady, O'Keefe, Harper, Campbell, Vincent, Menahan, Tveit, Yellowtail, Rasmussen, Bengtson, Peterson, Bradley, Cobb, referred to Committee on Human Services and Aging
- HB 403**, introduced by Ellison, Clark, Eudaily, Hoffman, Spaeth, Roth, O'Connell, Rice, Swift, Driscoll, Gould, O'Keefe, Cobb, Harper, Aafedt, referred to Committee on Fish and Game
- HB 404**, introduced by Keller, Hannah, Wallin, Vincent, Keating, McLane, Hager, Hofman, Thomas, referred to Committee on Judiciary
- HB 405**, introduced by Schye, Cobb, referred to Committee on Business and Economic Development
- HJR 13**, introduced by Ream, Schye, Ellison, Giacometto, Driscoll, Patterson, Eck, Walker, Mazurek, B. Brown, Gage, Harp (by request of the Office of Budget and Program Planning), referred to Committee on Taxation
- HJR 14**, introduced by Vincent, Ramirez, referred to Committee on Rules

MOTIONS

Representative Quilici moved consideration of HB 228 be passed for the day. Motion carried.

Representative Cody moved HB 190 be taken from engrossing and rereferred to the Committee on Agriculture, Livestock, and Irrigation. Motion carried.

Representative Spaeth moved the House reconsider its action on HB 108 taken on third reading the previous legislative day.

Representative Giacometto made a substitute motion the House reconsider its action on HB 108 taken on third reading the previous legislative day and place HB 108 on second reading. Motion failed. (49-46)

Representative Harrington present at this time.

Thereupon, the House reverted to the original motion of Representative Spaeth that the House reconsider its action on HB 108 taken on third reading the previous legislative day. Motion failed. (43-53)

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Wallin in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 192 - Representative Rice moved HB 192 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell, Glaser, Guthrie, Patterson, Peterson, Phillips.

Total 6

Excused: Koehnke, McDonough.

Total 2

Absent or not voting: Harrington.

Total 1

HB 195 - Representative Rice moved HB 195 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Koehnke, McDonough.

Total 2

Absent or not voting: Clark.

Total 1

HB 213 - Representative Strizich moved HB 213 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Glaser, Good, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 67

Noes: Aafedt, Bardanouve, Blotkamp, Boharski, Bradley, Campbell, Cobb, DeBruycker, Elliott, Ellison, Gilbert, Gould, Grady, Grinde, Guthrie, Hannah, Kasten, Keller, Lee, Marks, Owens, Peck, Peterson, Roth, Smith, Spaeth, Swift, Swysgood, Thoft, Thomas.
Total 30

Excused: Koehnke, McDonough.
Total 2

Absent or not voting: Patterson.
Total 1

HB 240 - Representative Vincent moved HB 240 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Campbell, Cobb, Cohen, DeBruycker, Driscoll, Gilbert, Good, Grinde, Guthrie, Hannah, Hayne, Kasten, Lee, Marks, Owens, Simpkins.
Total 16

Excused: Koehnke, McDonough.
Total 2

Absent or not voting: Patterson, Strizich.
Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Wallin moved the adoption of the committee report. Report adopted. (97-1)

MOTIONS

Representative Spaeth moved HB 240 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

REPORTS OF STANDING COMMITTEES

JUDICIARY (D. Brown, Chairman):

1/25/89

HB 122, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "shall"Insert: "also"Following: "give"

Insert: ", prior to the third publication of notice in a newspaper,"

2. Page 1, line 22.

Following: line 21

Insert: "by certified mail or other means"

3. Page 1, line 25.

Following: "(1)"

Insert: "or be forever barred. Proof of notice shall be filed with the clerk"

And, as amended, do pass. Report adopted.

HB 123, do pass. Report adopted.**HB 127**, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "THE YOUTH COURT AND"

2. Title, line 8.

Strike: "41-5-203, 41-5-205,"

3. Page 1, line 13 through page 2, line 12.

Strike: sections 1 and 2 of the bill in their entirety

Renumber: subsequent sections

4. Page 6, line 16.

Strike: "May"

Insert: "June"

And, as amended, do pass. Report adopted.

HB 152, do pass. Report adopted.**HB 178**, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Strike: "MADE" on line 7 through "CAPACITY" on line 8

2. Page 1, line 14.

Following: "suspect"

Insert: ", "

Strike: "that a child made known to them"

Insert: "as a result of information they receive"

3. Page 1, line 15.

Following: "capacity"

Insert: ", that a child"

Strike: "an"

Following: "neglected"

Insert: ", "

4. Page 1, line 16.

Strike: "child,"

5. Page 2, line 13.

Strike: "(a)"

6. Page 2, lines 16 through 19.

Strike: subsection (b) in its entirety

7. Page 2, lines 22 through 24.

Strike: "if the" on line 22 through "child" on line 24

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/25/89

HB 128, introduced bill, be amended as follows:

1. Page 5.

Following: line 7

Insert: "(8) A fine imposed under this section must be deposited in the board's earmarked revenue account for the use of the board."

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 139, introduced bill, be amended as follows:

1. Title, line 5.

Following: "AN ACT"

Insert: "GENERALLY REVISING PROVISIONS REGARDING TRAVEL EXPENSES FOR PERSONS IN STATE SERVICE;"

2. Title, line 6.

Following: "MEALS"

Strike: ","

Insert: "AND"

Following: "LODGING"

Strike: "," through "EXPENSES"

3. Title, line 7.

Strike: "JAPAN AND TAIWAN"

Insert: "A FOREIGN COUNTRY"

4. Title, line 9.

Following: "AREAS;"

Insert: "INCREASING THE REIMBURSEMENT RATE FOR LODGING AT CERTAIN FACILITIES;"

5. Page 3, line 5.

Strike: "Japan and Taiwan"

Insert: "a foreign country"

6. Page 3, line 9.

Strike: "shall"

Insert: "must"

7. Page 3, line 10.

Following: "meals"

Strike: ","

Insert: "²and"

Following: "lodging"

Strike: "²" through "expenses"

8. Page 3, line 16.

Following: "meals"

Strike: ","

Insert: "²and"

9. Page 7, lines 16 and 17.

Following: "lodging" on line 16

Strike: "2" through "expenses" on line 17

10. Page 3, line 22.

Strike: "\$7"

Insert: "\$12"

And, as amended, do pass. Report adopted.

HB 219, do pass. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 4 passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Knapp, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook.

Total 71

Noes: Addy, Bardanouve, Bradley, Brooke, Cocchiarella, Cohen, Darko, Davis, Elliott, Gervais, Hansen, Harper, Kadas, Kilpatrick, Kimberley, Moore, Nisbet, O'Keefe, Peck, Raney, Ream, Russell, Stickney, Strizich, Whalen, Mr. Speaker.

Total 26

Excused: Koehnke, McDonough.

Total 2

Absent or not voting: Keller.

Total 1

HB 21 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Brooke.

Total 1

Excused: Koehnke, McDonough.

Total 2

Absent or not voting: Blotkamp, Giacometto, Good, Kasten.

Total 4

HB 87 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Koehnke, McDonough.

Total 2

Absent or not voting: Guthrie, Ream.

Total 2

HB 110 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Addy, Cohen, Connelly, DeBruycker, Grinde, Marks, O'Keefe, Spring, Wyatt.

Total 9

Excused: Koehnke, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 121 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars,

Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Raney.

Total 1

Excused: Koehnke, McDonough.

Total 2

Absent or not voting: Spring.

Total 1

HB 135 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Driscoll, Grinde, Kasten, Ramirez, Stang.

Total 6

Excused: Koehnke, McDonough.

Total 2

Absent or not voting: None.

Total 0

HB 136 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.
Total 0

Excused: Koehnke, McDonough.
Total 2

Absent or not voting: Rice.
Total 1

HB 146 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Koehnke, McDonough.
Total 2

Absent or not voting: Smith.
Total 1

HB 167 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Glaser, Grinde, Peck, Phillips, Swysgood.
Total 6

Excused: Koehnke, McDonough.
Total 2

Absent or not voting: Darko, Peterson.
Total 2

HB 175 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Boharski, Campbell, Cobb, Ellison, Gilbert, Glaser, Grinde, Hannah, Kasten, Lee, Marks, Phillips, Swysgood, Thoft.

Total 14

Excused: Koehnke, McDonough.

Total 2

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 282: McLane, Manning, and Abrams.

The following sponsor was added to HB 300: Rapp-Svrcek.

The following sponsors were added to HB 334: R. Nelson, Strizich, Russell, Brooke, Smith, Owens, Lee, Grady, Hansen, and Vincent.

The following sponsor was added to HB 358: Davis.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Thursday, January 26, 1989.

Motion carried.

House adjourned at 3:10 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWENTY-SECOND LEGISLATIVE DAY

Helena, Montana
January 26, 1989

House Chambers
State Capitol

House convened at 1:03 p.m., Mr. Speaker in the Chair. Invocation by Representative Simon. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Davis, Hanson, Harrington, McDonough, and Menahan, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/26/89

Correctly printed: HB 28, HB 122, HB 123, HB 127, HB 128, HB 139,
HB 152, HB 160, HB 174, HB 178, HB 180, HB 182, HB 183,
HB 205, HB 214, HB 219, HB 249, HB 290.

Correctly engrossed: HB 192, HB 195, HB 213.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

1/25/89

HB 251, do pass. Report adopted.

Adverse Committee Report

HB 221, do not pass.

HB 222, do not pass.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

1/26/89

HB 227, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE AND AN
IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 24.

Following: line 23

Insert: "NEW SECTION. Section 2. Applicability. [This act] applies
to teacher contracts issued for the school fiscal year 1990.

NEW SECTION. Section 3. Effective Date. [This act] is effective on
passage and approval."

And, as amended, do pass. Report adopted.

HB 275, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

1/25/89

HB 149, introduced bill, be amended as follows:

1. Title, line 10.

Following: "PROPERTY"

Insert: "OF 5 ACRES OR LESS"

2. Title, line 11.

Following: "OF"

Strike: "THE"

Insert: "A"

3. Title, line 12.

Following: "OWNER;"

Insert: "AND"

4. Title, line 13.

Following: "60-4-202, AND"

Strike: "60-4-205"

Insert: "60-4-204"

5. Title, lines 13 and 14.

Following: "MCA" on line 13

Strike: the remainder of line 13 through "MCA" on line 14

6. Page 2, line 22, through page 3, line 10.

Strike: sections 3 and 4 in their entirety

Insert: "Section 3. Section 60-4-204, MCA, is amended to read:

"60-4-204. Option of original owner or successor in interest to purchase at sale price. ~~The~~ When the department sells an interest in a parcel of real property greater than 5 acres in size, the owner from whom the interest was originally acquired or his successor in interest ~~shall have~~ has the option to purchase the interest by offering ~~therefor~~ for the interest an amount of money equal to the highest bid received for the interest at the sale. The offer ~~shall~~ must be sent to the department by registered or certified mail within 10 days from the date of the sale."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

1/26/89

HB 211, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: "sufficient"

Insert: "2 years of"

Strike: "including a baccalaureate degree,"

2. Page 2, following line 15.

Insert: "NEW SECTION. Section 2. Grandfather clause.

A person licensed as a nursing home administrator on [the effective date of this act] does not have to present evidence satisfactory to the board of 2 years of education as required by 37-9-301(1)(b)(ii) in order to renew his license as a nursing home administrator."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 242, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 187 - Representative Ream moved the 1/24/89 adverse committee report on HB 187 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring,

Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Bardanoue, Bradley, Harper, O'Keefe, Ream, Strizich.
Total 7

Excused: D. Brown, Davis, Hanson, Harrington, McDonough, Menahan.
Total 6

Absent or not voting: Ramirez.
Total 1

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 1/25/89

SB 39, introduced by Bishop

House bill concurred in and returned to the House: 1/25/89

HB 41, introduced by Gilbert

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 1/25/89

HB 3, introduced by Harrington

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 406, introduced by Gould, Beck, referred to Committee on Business and Economic Development

HB 407, introduced by Addy, Vincent (by request of the Commissioner of Political Practices), referred to Committee on State Administration

HB 408, introduced by Simon, Jergeson, Gage, Keating, Jacobson, Cobb, Bradley (by request of the Legislative Audit Committee), referred to Committee on State Administration

HB 409, introduced by Good, Cobb, Rice, Spaeth, Whalen, Mercer, referred to Committee on Judiciary

HB 410, introduced by Kadas, Ramirez, referred to Committee on Local Government

HB 411, introduced by J. Brown, referred to Committee on Local Government

HB 412, introduced by Bradley, Jacobson, Cobb, Keating, Simon (by request of the Legislative Audit Committee), referred to Committee on State Administration

HB 413, introduced by Westlake, Boylan, Hofman, Ellison, Hoffman, Anderson, Spaeth, referred to Committee on Judiciary

HB 414, introduced by Spaeth, referred to Committee on Judiciary

HB 415, introduced by Patterson, Hannah, Driscoll, Smith, Keating, Campbell, Westlake, Giacometto, Koehnke, D. Brown, Glaser, Devlin, Nathe, Harp, DeBruycker, DeMars, Halligan, Farrell, Jenkins, Bengtson, Williams, Simon, Stepler, Pipinich, Boylan, referred to Committee on Taxation

HB 416, introduced by Hoffman, Anderson, Van Valkenburg, referred to Committee on Local Government

HB 417, introduced by Pavlovich, Smith, Driscoll, Thomas, Owens, Peterson, Harp, referred to Committee on Business and Economic Development

- HB 418**, introduced by Koehnke, Galt, Davis, referred to Committee on Business and Economic Development
- HB 419**, introduced by Koehnke, Westlake, Hanson, DeMars, referred to Committee on Highways and Transportation
- HB 420**, introduced by Koehnke, Galt, Schye, Westlake, DeMars, referred to Committee on Taxation
- HB 421**, introduced by R. Nelson, Beck, Blaylock, Pinsoneault, Campbell, Pipinich, Mazurek, Van Valkenburg, Peterson, Ream, Westlake, Spaeth, Menahan, Squires, Hayne, Vaughn, Rapp-Svrcek, Harding, O'Connell, O'Keefe, Eudaily, J. Brown, Bengtson, referred to Committee on State Administration
- HB 422**, introduced by Eudaily, referred to Committee on Judiciary
- HB 423**, introduced by Grady, Weeding, Anderson, Guthrie, Gould, DeMars, Stepler, Schye, Thoft, Zook, Kasten, Patterson, Clark, McLane, Abrams, Severson, Giacometto, referred to Committee on Agriculture, Livestock, and Irrigation
- HB 424**, introduced by Grady, referred to Committee on Local Government
- HB 425**, introduced by Vincent, Brooke, Clark, Spaeth, referred to Committee on Judiciary
- HB 426**, introduced by Wallin, Ellison, Hannah, Rehberg, Roth, Simon, T. Nelson, referred to Committee on Fish and Game
- HB 427**, introduced by Davis, Meyer, Thayer, referred to Committee on Labor and Employment Relations
- HB 428**, introduced by Hannah, Bishop, Wallin, referred to Committee on State Administration
- HB 429**, introduced by Grady, Blaylock, Mazurek, Story, Simon, Patterson, Mercer, Quilici, Harper, referred to Committee on Business and Economic Development
- HB 430**, introduced by Grady, Blaylock, Mazurek, Story, Simon, Patterson, Mercer, Quilici, Harper, referred to Committee on Business and Economic Development
- HB 431**, introduced by Grady, Blaylock, Mazurek, Story, Simon, Patterson, Mercer, Quilici, Harper, referred to Committee on Business and Economic Development
- HB 432**, introduced by Eudaily, R. Nelson, Raney, Davis, Thomas, Vincent, referred to Committee on Education and Cultural Resources
- HB 433**, introduced by Bachini, Yellowtail, Peck, Johnson, Elliott, Giacometto, Darko, Clark, Zook, Stickney, Stang, J. Brown, Gervais, Hoffman, Brooke, L. Nelson, Strizich, Cocchiarella, Grady, Swysgood, Thomas, Wallin, Nisbet, Pavlovich, Daily, referred to Committee on Education and Cultural Resources
- HB 434**, introduced by Rice, J. Brown, Cocchiarella, Whalen, Mercer, referred to Committee on Business and Economic Development
- HB 435**, introduced by Giacometto, Lynch, Harrington, Gage, referred to Committee on Taxation
- HB 436**, introduced by Gould, referred to Committee on Local Government
- HB 437**, introduced by Gould, Rasmussen, Grady, Hansen, Whalen, Crippen, referred to Committee on Business and Economic Development
- HB 438**, introduced by Gould, Rasmussen, Grady, Hansen, Whalen, Crippen, referred to Committee on Business and Economic Development
- HB 439**, introduced by Kilpatrick, referred to Committee on Local Government

HB 440, introduced by D. Brown, Cody, referred to Committee on State Administration

HB 441, introduced by Wallin, referred to Committee on Local Government

HB 442, introduced by McCormick, referred to Committee on Taxation

MOTIONS

Representative Quilici moved consideration of HB 233 be passed for the day. Motion carried.

Representative Spaeth moved HB 361 be taken from the Committee on State Administration and rereferred to the Committee on Appropriations. Motion carried.

Representative Harrington present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Compton excused at this time.

HB 172 - Representative Swift moved HB 172 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cody, Connelly, Daily, Darko, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Knapp, Lee, Marks, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 71

Noes: Addy, Cocchiarella, Cohen, DeMars, Gervais, Grady, Harper, Harrington, Kilpatrick, Kimberley, Koehnke, McCormick, Nisbet, O'Keefe, Raney, Russell, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt.

Total 22

Excused: D. Brown, Compton, Davis, Hanson, McDonough, Menahan.

Total 6

Absent or not voting: Roth.

Total 1

HB 189 - Representative Rice moved HB 189 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee,

Marks, McCormick, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Whalen.

Total 1

Excused: D. Brown, Compton, Davis, Hanson, McDonough, Menahan.

Total 6

Absent or not voting: Clark.

Total 1

Representatives Menahan and Compton present at this time.

HB 216 - Representative Wallin moved HB 216 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: D. Brown, Davis, Hanson, McDonough, Menahan.

Total 5

Absent or not voting: Keller.

Total 1

HB 228 - Representative Eudaily moved HB 228, second reading copy, be amended as follows:

1. Page 1, line 19.

Following: "and"

Strike: "improving real property"

Insert: "remodeling facilities"

2. Page 1, line 23.

Following: "make"

Insert: ", subject to subsection (4)"

3. Page 2, line 11.

Following: "property"

Strike: remainder of line 11 through "20-6-603" on line 12

Insert: "or construct a facility"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Owens.

Total 1

Excused: D. Brown, Davis, Hanson, McDonough.

Total 4

Absent or not voting: None.

Total 0

Representative Harrington moved HB 228, as amended, do pass.
Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bachini, Cobb, Ellison, Grinde, Guthrie, Knapp, Owens, Peck, Swysgood, Thoft.

Total 10

Excused: D. Brown, Davis, Hanson, McDonough.

Total 4

Absent or not voting: None.

Total 0

HB 229 - Representative Harrington moved HB 229 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream,

Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: D. Brown, Davis, Hanson, McDonough.

Total 4

Absent or not voting: None.

Total 0

HB 230 - Representative Kimberley moved HB 230 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: D. Brown, Davis, Hanson, McDonough.

Total 4

Absent or not voting: None.

Total 0

HB 243 - Representative Rice moved HB 243 do pass.

Representative Hanson present at this time.

Representative Rice made a substitute motion that consideration of HB 243 be passed for the day. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Cody, Compton, Daily, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Iverson, Johnson, Kasten, Keller, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 61

Noes: Addy, Bardanouve, Brooke, Cocchiarella, Cohen, Connelly, Darko, DeMars, Gervais, Gould, Hansen, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Russell, Schye, Spring, Squires, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 33

Excused: D. Brown, Davis, McDonough.

Total 3

Absent or not voting: Clark, Cobb, Harper.

Total 3

HB 252 - Representative Spring moved HB 252 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: D. Brown, Davis, McDonough.

Total 3

Absent or not voting: Rice.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (94-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 99 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: D. Brown, Davis, McDonough.

Total 3

Absent or not voting: None.

Total 0

HB 137 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Hannah, Nisbet, Swysgood.

Total 3

Excused: D. Brown, Davis, McDonough.

Total 3

Absent or not voting: Cohen.

Total 1

HB 138 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: D. Brown, Davis, McDonough.

Total 3

Absent or not voting: Elliott.

Total 1

HB 170 passed as follows:

Ayes: Aafedt, Bachini, Bardanoue, Boharski, J. Brown, Campbell, Clark, Compton, Daily, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais,

Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 68

Noes: Addy, Blotkamp, Bradley, Brooke, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Elliott, Hansen, Harper, Johnson, Kadas, Kilpatrick, Moore, Nisbet, O'Keefe, Peck, Ream, Rice, Russell, Squires, Stang, Stepler, Strizich, Whalen, Wyatt.

Total 29

Excused: D. Brown, Davis, McDonough.

Total 3

Absent or not voting: None.

Total 0

HB 199 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cohen.

Total 1

Excused: D. Brown, Davis, McDonough.

Total 3

Absent or not voting: Marks.

Total 1

HB 220 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Campbell, Cobb, Good, Guthrie, Hannah, Hayne, Kasten, Lee, Marks, R. Nelson, Owens, Phillips, Simpkins, Swysgood, Thoft, Thomas.

Total 16

Excused: D. Brown, Davis, McDonough.

Total 3

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

JUDICIARY (D. Brown, Chairman):

1/26/89

HB 97, introduced bill, be amended as follows:

1. Title, line 8.

Following: "3-10-301"

Strike: ", "

Insert: "and"

And, as amended, do pass. Report adopted.

HB 147, do pass. Report adopted.

HB 260, introduced bill, be amended as follows:

1. Page 1, line 21.

Strike: ", or both"

And, as amended, do pass and be placed on consent calendar. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/26/89

HB 118, introduced bill, be amended as follows:

1. Page 1.

Following: line 12

Insert:

"STATEMENT OF INTENT

A statement of intent is required for this bill because it grants authority to the board of morticians to adopt rules for:

(1) the imposition of fines in disciplinary actions for unprofessional conduct. Fines may be levied for any conduct for which a mortician's or funeral director's license could be revoked or suspended.

(2) the setting of standards for operating mortuary facilities to assure adherence to sanitary and safety provisions;

(3) the collection of fees and charges for mortuaries, which fees or charges must be commensurate with costs incurred for the services; and

(4) the establishment of reasonable application forms for operation of a new mortuary and transfer fees required to allow the transfer of a license to a new facility."

2. Page 4, line 1.

Following: " "

Insert: "Any fine collected must be deposited in the state general fund."

And, as amended, do pass. Report adopted.

HB 159, do pass and be placed on consent calendar. Report adopted.

HB 226, do pass. Report adopted.

HB 281, do pass and be placed on consent calendar. Report adopted.

HJR 5, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:30 p.m., Friday, January 27, 1989.

Motion carried.

House adjourned at 2:12 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWENTY-THIRD LEGISLATIVE DAY

Helena, Montana
January 27, 1989

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Representative O'Connell. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twentieth and twenty-first legislative days, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

Speaker Vincent introduced James W. C. Chang, Director-General of the Coordination Council for North American Affairs, representing the Republic of China on Taiwan, who was escorted to the rostrum by Representatives Addy and Marks. Director-General Chang briefly addressed the House and then was escorted from the chamber.

REPORTS OF STANDING COMMITTEES

Representative O'Keefe excused at this time.

BILLS (Menahan, Chairman): 1/27/89

Correctly printed: HB 97, HB 118, HB 147, HB 149, HB 211, HB 226, HB 227, HB 242, HB 251, HB 275, HJR 5.

Correctly engrossed: HB 159, HB 172, HB 189, HB 216, HB 228, HB 229, HB 230, HB 252, HB 260, HB 281.

Correctly enrolled: HB 16.

Examined by the sponsor and found to be correct:

HB 16 - Driscoll

Signed by the Speaker at 10:55 a.m., 1/27/89: HB 16.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

1/26/89

HB 239, do pass. Report adopted.

HB 258, introduced bill, be amended as follows:

1. Page 2, line 13.

Following: "department"

Insert: "of commerce"

And, as amended, do pass. Report adopted.

HB 262, introduced bill, be amended as follows:

1. Page 14, line 20.

Strike: "premium"

Insert: "rate"

2. Page 16, line 9.

Strike: "In"

Insert: "With respect to credit life insurance or credit disability insurance and in"

3. Page 17, line 16.

Following: "Any"

Insert: "An insurer may not issue or use a form after the commissioner withdraws approval of the form pursuant to 33-1-501."

4. Page 19, line 17.

Following: "must"

Insert: ", except as provided in 33-17-103,"

5. Page 19, lines 17 and 18.

Following: "through" on line 17

Strike: the remainder of line 17 and through "commissioner" on line 18

Insert: "a licensed insurance agent"

And, as amended, do pass. Report adopted.

HB 284, introduced bill, be amended as follows:

1. Title, line 8.

Following: "TECHNOLOGISTS,"

Insert: "AND"

2. Title, line 10.

Following: "MCA"

Strike: ", AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 8, line 1.

Following: "technology,"

Insert: "or"

4. Page 8, line 3.

Following: "technology,"

Insert: "or"

5. Page 8, line 19.

Strike: "to practice as a radiologic technologist"

6. Page 11, line 1.

Strike: "— other penalties"

7. Page 11, line 4.

Strike: "fined not to exceed \$500 for each incident,"

8. Page 12, line 6.

Strike: section 8 in its entirety

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

1/27/89

HB 237, do pass and be placed on consent calendar. Report adopted.

HJR 10, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "SAFE HOUSE"

Insert: "BLOCK PARENT"

2. Page 1, line 15.

Strike: "safe house"

Insert: "block parent"

3. Page 1, line 17.

Strike: "safe"

4. Page 1, line 21.

Strike: "safe"

Insert: "block parent"

5. Page 2, line 4.
Strike: "safe house"
Insert: "block parent"

6. Page 2, line 11.
Strike: "safe"
Insert: "block parent"

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORTS

HB 221 - Representative Pavlovich moved the 1/25/89 adverse committee report on HB 221 be adopted.

Representative Menahan made a substitute motion that HB 221 be printed and placed on second reading. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Boharski, Brooke, Campbell, Clark, Gilbert, Glaser, Grinde, Guthrie, Harrington, Kasten, Keller, McDonough, L. Nelson, T. Nelson, Patterson, Phillips, Ramirez, Simon, Simpkins, Spaeth, Swift, Thomas, Wallin.
Total 23

Paired: O'Keefe, Aye; Thomas, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 222 - Representative Pavlovich moved the 1/25/89 adverse committee report on HB 222 be adopted.

Representative Menahan made a substitute motion that HB 222 be printed and placed on second reading. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Compton, Daily, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Gould, Grady, Hannah, Hanson, Harper, Harrington, Hayne, Iverson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Simon, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Aafedt, Bardanouve, Brooke, Cobb, Cody, Cohen, Connelly, Darko, DeMars, Eudaily, Gilbert, Good, Grinde, Guthrie, Hansen, Hoffman,

Johnson, Kadas, Mercer, L. Nelson, Peck, Ramirez, Roth, Schye, Simpkins, Spring, Stang, Thomas.

Total 28

Excused: O'Keefe.

Total 1

Absent or not voting: None.

Total 0

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/26/89

SB 33, introduced by Bishop

SB 98, introduced by Aklestad

SB 106, introduced by Pinsoneault

SB 108, introduced by Pinsoneault

SB 120, introduced by Harding

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 443, introduced by Whalen, Giacometto, referred to Committee on Judiciary

HB 444, introduced by J. Brown, referred to Committee on Taxation

HB 445, introduced by Bardanouve, referred to Committee on Judiciary

HB 446, introduced by Daily, Stang, Lynch, Swysgood, Iverson, referred to Committee on Business and Economic Development

HB 447, introduced by Clark, Hoffman, Zook, Thomas, referred to Committee on Fish and Game

HB 448, introduced by Menahan, Harrington, referred to Committee on Business and Economic Development

HB 449, introduced by Schye, referred to Committee on Education and Cultural Resources

HB 450, introduced by Giacometto, O'Keefe, DeMars, Spaeth, Jenkins, Severson, referred to Committee on Local Government

HB 451, introduced by Addy, Darko, Wyatt, Spaeth, Raney, Connelly, Russell, Whalen, Stickney, Kimberley, Cohen, Strizich, DeMars, Cody, Vincent, Menahan, O'Keefe, Moore, Brooke, Bradley, Schye, Hansen, Kilpatrick, Pavlovich, O'Connell, Cocchiarella, Squires, McCormick, J. Brown, referred to Committee on Taxation

HB 452, introduced by Cody, Cobb (by request of the Department of Social and Rehabilitation Services), referred to Committee on Appropriations

HB 453, introduced by Cody, Cobb (by request of the Department of Social and Rehabilitation Services), referred to Committee on Appropriations

HB 454, introduced by Connelly, Spaeth, Addy, Walker, Pinsoneault, B. Brown, Harp, Koehnke, referred to Committee on Judiciary

HB 455, introduced by Zook, Clark, Hanson, Tveit, Devlin, referred to Committee on Education and Cultural Resources

HB 456, introduced by Simpkins, Meyer, referred to Committee on Taxation

HB 457, introduced by Whalen, Roth, Simpkins, Rice, Wyatt, Campbell, Addy, Marks, Thomas, Swift, Hannah, Swysgood,

Cocchiarella, Kilpatrick, O'Connell, McCormick, Bishop, McLane, Noble, Severson, referred to Committee on Taxation

HB 458, introduced by Peck, Hammond, Cobb, Hannah, Cohen, Darko, Addy, Blaylock, Iverson, Spaeth, Russell, Raney, Hansen, Moore, Harp, Ream, Hofman, Halligan, Strizich, Van Valkenburg, Mazurek, Pipinich, Thoft, Manning, McCormick, O'Keefe, J. Brown, Rapp-Svrcek, Whalen, Simon, referred to Committee on Human Services and Aging

HB 459, introduced by J. Brown, Addy, referred to Committee on Judiciary

HB 460, introduced by Hayne, referred to Committee on Local Government

HB 461, introduced by Ream, Harper, Bachini, D. Brown, Spaeth, Bishop, O'Keefe, Thoft, referred to Committee on Natural Resources

HB 462, introduced by Harper, Marks, Weeding, Yellowtail, Bishop, O'Keefe, Severson, referred to Committee on Natural Resources

HB 463, introduced by Thoft, Harper, Hannah, Grady, Yellowtail, Abrams, Devlin, Walker, O'Keefe, Raney, Severson, referred to Committee on Natural Resources

HB 464, introduced by Bradley, Peck, Rapp-Svrcek, Addy, Lynch, Grady, Nathe, Gould, referred to Committee on Business and Economic Development

HB 465, introduced by Iverson (by request of the Department of Livestock), referred to Committee on Agriculture, Livestock, and Irrigation

HB 466, introduced by Blotkamp, Wallin, Elliott, Stang, O'Keefe, Lynch, Halligan, Rasmussen, Harp, referred to Committee on Business and Economic Development

HB 467, introduced by Brooke, Knapp, Darko, Cocchiarella, Eudaily, referred to Committee on Highways and Transportation

HJR 15, introduced by J. Brown, referred to Committee on Human Services and Aging

The following Senate bill was introduced, read first time, and referred to committee:

SB 17, introduced by Beck, referred to Committee on Taxation

MOTIONS

Representative Rice moved consideration of HB 243 be passed until the 30th legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Giacometto in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 28 - Representative Simpkins moved HB 28, second reading copy, be amended. Amendment failed. (47-53)

Representative O'Keefe present at this time.

Representative Clark excused at this time.

Representative Simpkins moved HB 28, second reading copy, be amended. Amendment failed. (49-50)

Representative Thomas moved HB 28, second reading copy, be amended. Amendment failed. (47-53)

Representative Harrington moved HB 28 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 66

Noes: Aafedt, Boharski, Clark, Compton, DeBruycker, Ellison, Gilbert, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Ramirez, Rehberg, Roth, Simon, Simpkins, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 34

Paired: Addy, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 122 - Representative Spaeth moved HB 122, second reading copy, be amended as follows:

1. Page 1, line 23.

Following: "BY"

Strike: "CERTIFIED"

Insert: "REGISTERED"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gilbert, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Hayne, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 66

Noes: Aafedt, Boharski, Campbell, Cobb, Connelly, DeBruycker, Ellison, Eudaily, Glaser, Good, Grinde, Hannah, Hoffman, Kasten, Keller, Lee, Marks, Moore, R. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simpkins, Spring, Swift, Thomas.

Total 31

Excused: Clark.

Total 1

Absent or not voting: Harrington, Zook.

Total 2

Representative Spaeth moved HB 122, as amended, do pass.

Representative Spaeth made a substitute motion HB 122 be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 123 - Representative Spaeth moved HB 123 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Bachini, Gervais, Nisbet, Stang, Whalen.

Total 5

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 127 - Representative Stickney moved HB 127 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Glaser, Grinde, Swysgood, Thoft.

Total 5

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 128 - Representative DeBruycker moved HB 128, second reading copy, be amended as follows:

1. Page 5, line 9.

Following: "in"

Strike: "board's earmarked revenue account for the use of the board."

Insert: "general fund."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Eudaily, McCormick.

Total 2

Excused: Clark.

Total 1

Absent or not voting: O'Connell.

Total 1

Representative Clark present at this time.

Representative Johnson moved HB 128, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Boharski, Campbell, Clark, Cohen, Ellison, Eudaily, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Kasten, R. Nelson, T. Nelson, Roth, Simon, Swysgood, Thoft, Thomas, Whalen.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Giacometto moved the adoption of the committee report. Report adopted. (85-14)

MOTIONS

Representative Darko moved HB 450 be taken from the Committee on Local Government and rereferred to the Committee on Judiciary. Motion carried.

Representative Spaeth moved HB 213 be taken from third reading and rereferred to the Committee on Appropriations. Motion failed. (50-50)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 192 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: DeBruycker, Quilici, Wallin.

Total 3

HB 195 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Smith.

Total 1

HB 213 passed as follows:

Ayes: Addy, Bachini, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Glaser, Good, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Aafedt, Bardanouve, Blotkamp, Boharski, Bradley, Campbell, Cobb, DeBruycker, Elliott, Ellison, Gilbert, Gould, Grady, Grinde, Guthrie, Hannah, Hayne, Kasten, Keller, Koehnke, Lee, Marks, Owens, Peck, Peterson, Ramirez, Roth, Smith, Spaeth, Spring, Swift, Swysgood, Thoft, Thomas.

Total 34

Excused: None.

Total 0

Absent or not voting: Clark, Kilpatrick.

Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/27/89

Signed by the Speaker at 12:00 p.m., 1/27/89: SJR 1.

Delivered to the Governor for his approval at 1:49 p.m., 1/27/89: HB 16.

STATE ADMINISTRATION (J. Brown, Chairman):

1/27/89

HB 235, introduced bill, be amended as follows:

1. Page 2, line 7.

Strike: "October"

Insert: "January"

Strike: "1989"

Insert: "1990"

2. Page 2, line 8.

Strike: "either"

Following: "19-3-503"

Insert: " "

Strike: "and"

3. Page 2, line 9.

Following: "19-3-512"

Insert: " "

Strike: "to" through "under"

4. Page 2, line 11.

Strike: "October"

Insert: "January"

Strike: "1989"

Insert: "1990"

5. Page 2, line 13.

Strike: "October"

Insert: "January"

6. Page 2, line 14.

Strike: "1989"

Insert: "1990"

7. Page 2, lines 14 and 15.

Strike: "After" on line 14 through "." on line 15

8. Page 5, line 25.

Following: line 24

Strike: "

Insert: "House"

Following: "No."

Strike: " [LC 558]"

Insert: "234"

And, as amended, do pass. Report adopted.

HB 270, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "ESTABLISHING AN"

Insert: "REQUIRING THE DEPARTMENT OF ADMINISTRATION TO ESTABLISH AND MAINTAIN A CENTRALIZED"

2. Title, lines 5 and 6.

Strike: "IN" on line 5 through "DATE" on line 6

Insert: "SYSTEM"

3. Page 1, line 14.

Strike: "Each"

Insert: "The"

4. Page 1, line 15.

Strike: "state government"

Insert: "administration"

5. Page 1, line 16.

Strike: "an"

Insert: ", as a pilot project, a centralized"

Following: "board"

Insert: "system for state agencies to use"

6. Page 1, line 17.

Following: " "

Insert: "Agencies involved in communicating information to the public shall maintain appropriate information on the bulletin board system. The purpose of this pilot project is to encourage the practice of providing for direct citizen access to state computerized information."

7. Page 1, line 23.

Strike: "Each"

Insert: "The"

Following: "department"

Insert: "of administration"

8. Page 1, line 24.

Following: "."

Insert: "Each department is responsible for ensuring the integrity and appropriateness of the information that it places in the system."

(3) The department of administration shall provide for an equitable method for recovering the cost of operating the electronic bulletin board system.

NEW SECTION. Section 4. Report to the legislature. The department of administration shall submit a report to the 52nd legislature that evaluates the effectiveness of the centralized electronic bulletin board system, provides a cost analysis of the system, and presents recommendations for improving or enhancing the system."

Renumber: subsequent sections

9. Page 2, lines 9 and 10.

Strike: section 7 in its entirety

And, as amended, do pass. Report adopted.

HB 309, do pass and be placed on consent calendar. Report adopted.

SPECIAL ORDERS OF THE DAY

The following sponsor was removed from HB 358: Zook.

The following sponsors were added to HB 454: Lee, J. Brown, Ream, Peck, and Bachini.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:30 a.m., Saturday, January 28, 1989.

Motion carried.

House adjourned at 3:00 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
January 28, 1989

House Chambers
State Capitol

House convened at 8:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Swift. Pledge of Allegiance to the Flag.

Roll call. All members present except Kadas, Marks, Peck, Ramirez, Ream, and Rehberg, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/28/89

Correctly printed: HB 218, HB 221, HB 222, HB 235, HB 239, HB 258, HB 262, HB 270, HB 284, HJR 10.

Correctly engrossed: HB 28, HB 123, HB 127, HB 128, HB 237, HB 309.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

1/27/89

HB 218, introduced bill, be amended as follows:

1. Title, line 6.

Following: "INSTITUTIONS;"

Insert: "REQUIRING A REPORT OF EXAMINATION WITHIN 120 DAYS OF COMPLETION;"

2. Title, line 10.

Following: line 9

Insert: "32-1-211,"

3. Page 1, line 14.

Following: line 13

Insert: "Section 1. Section 32-1-211, MCA, is amended to read:

"32-1-211. Examination and supervision by department. (1) The department shall exercise constant supervision over the books and affairs of all banks doing business in this state.

(2) It shall:

(a) examine, at least once every 30 months, each of those banks and verify the assets and liabilities of each and ~~so far~~ investigate the character and value of the assets of each as to ascertain with reasonable certainty that the values are correctly carried on the books; and

(b) submit in writing to the examined bank a report of the examination's findings no later than 120 days after the completion of the examination.

(3) It shall further investigate the methods of operation and conduct of business of the banks and their systems of accounting to ascertain whether the methods and systems are in accordance with law and sound banking principles.

(4) It may examine under oath any of the officers, directors, agents, clerks, customers, or depositors of a bank regarding the affairs and business ~~thereof~~ of the bank.

(5) It may, in the performance of its official duties, issue subpoenas and administer oaths. In case of a refusal to obey a subpoena issued by it, the refusal may at once be reported to the district court of the

district in which the bank is located, and the court shall enforce obedience to the subpoena in the manner provided by law for enforcing obedience to the process of the court.

(6) In all matters relating to its official duties, the department has the same power possessed by courts of law to issue subpoenas and have them served and enforced.

(7) All officers, directors, agents, and employees of banks doing business under this chapter and all persons having dealings with or knowledge of the affairs or methods of a bank shall at all times afford reasonable facilities for the examinations and make returns and reports to the department as it may require. They shall also attend hearings and answer under oath the department's inquiries, produce and exhibit any books, accounts, documents, and property it desires to inspect, and in all things aid it in the performance of its duty."

Renumber: subsequent sections

4. Page 1, line 15.

Following: "fees"

Insert: " — report within 120 days"

5. Page 2, line 2.

Following: "function."

Insert: "The department shall submit in writing to the examined bank a report of the examination's findings no later than 120 days after the completion of the examination."

6. Page 4, lines 22 and 23.

Strike: "2"

Insert: "3"

Strike: "4"

Insert: "5"

7. Page 4, line 25.

Strike: "5"

Insert: "6"

8. Page 5, line 2.

Strike: "5"

Insert: "6"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

1/27/89

HB 18, introduced by Swysgood

Senate bills passed and transmitted to the House for concurrence:

1/27/89

SB 91, introduced by Manning

SB 103, introduced by Jergeson

SB 116, introduced by Norman

SB 125, introduced by Nathe

SB 135, introduced by Halligan

SB 171, introduced by Pinsoneault

SB 174, introduced by Eck

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 468**, introduced by Peck, Schye, R. Nelson, Gervais, referred to Committee on Education and Cultural Resources
- HB 469**, introduced by Addy, Blaylock, Ramirez, Rehberg, T. Nelson, Glaser, Simon, Keller, Hannah, Keating, Patterson, Roth, Whalen, Driscoll, Kilpatrick, Bengtson, Crippen, Kimberley, Bishop, Hager, McLane, McDonough, referred to Committee on Appropriations
- HB 470**, introduced by Rice, Addy, Ramirez, Harper, Mazurek, Halligan, B. Brown, referred to Committee on Judiciary
- HB 471**, introduced by Glaser, Bengtson, Patterson, referred to Committee on Local Government
- HB 472**, introduced by Raney, Halligan, Vincent, Addy, Connelly, Cody, Cohen, Campbell, Patterson, Severson, Rapp-Svrcek, Farrell, B. Brown, Hager, Ellison, Strizich, Walker, Squires, O'Keefe, Bishop, Harp, Rasmussen, Ream, Spaeth, Darko, Russell, Harper, D. Brown, Eck, Wyatt, Driscoll, Koehnke, Harrington, Peck, O'Connell, Nisbet, Menahan, Quilici, Gervais, Kimberley, Johnson, Moore, Whalen, Brooke, Davis, Hansen, Cocchiarella, McDonough, J. Brown, Bachini, McCormick, Bradley, referred to Committee on Taxation
- HB 473**, introduced by Bradley, Addy, Spaeth, McDonough, Darko, Wyatt, O'Connell, McCormick, Peck, Connelly, J. Brown, O'Keefe, Ream, referred to Committee on Judiciary
- HB 474**, introduced by Cohen, Yellowtail, Raney, Whalen, Darko, Nisbet, Driscoll, Stang, Stickney, Squires, Russell, Hansen, Addy, J. Brown, Moore, Kilpatrick, McCormick, Kadas, Kimberley, referred to Committee on State Administration
- HB 475**, introduced by Cohen, Eck, Raney, Vincent, Harper, Whalen, Ream, Kadas, Hansen, Spaeth, Addy, Moore, O'Keefe, referred to Committee on Taxation
- HB 476**, introduced by Grady, Beck, Hofman, Moore, O'Keefe, referred to Committee on Business and Economic Development
- HB 477**, introduced by Grady, Marks, O'Keefe, Thomas, Beck, Campbell, DeMars, Moore, Ramirez, Bachini, Hofman, Harper, J. Brown, Iverson, Devlin, Anderson, Schye, Weeding, Rapp-Svrcek, Jenkins, Swysgood, Hanson, Elliott, Tveit, Severson, referred to Committee on Agriculture, Livestock, and Irrigation
- HB 478**, introduced by Roth, Stang, referred to Committee on Fish and Game
- HB 479**, introduced by Addy, Hager, Blaylock, Ramirez, Rehberg, Spaeth, Thayer, J. Brown, Kadas, Harrington, referred to Committee on Taxation
- HJR 16**, introduced by Hannah, referred to Committee on State Administration

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative D. Brown in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 97 - Representative Kilpatrick moved HB 97 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Addy, DeBruycker, Gilbert, Whalen.

Total 4

Excused: Kadas, Marks, Peck, Ramirez, Ream, Rehberg.

Total 6

Absent or not voting: None.

Total 0

HB 118 - Representative Cody moved HB 118 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Boharski, Campbell, Glaser, Guthrie, Hoffman, Koehnke, Lee, Simon, Swift, Swysgood, Thoft, Thomas.

Total 12

Excused: Kadas, Marks, Peck, Ramirez, Ream, Rehberg.

Total 6

Absent or not voting: Menahan.

Total 1

HB 122 - Representative Spaeth moved HB 122, second reading copy, be amended as follows:

1. Page 1, line 23.

Following: "~~CERTIFIED~~"

Strike: "~~REGISTERED~~"

Insert: "~~CERTIFIED~~"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Kadas, Marks, Peck, Ramirez, Ream, Rehberg.

Total 6

Absent or not voting: None.

Total 0

Representative Spaeth moved HB 122, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cohen.

Total 1

Excused: Kadas, Marks, Peck, Ramirez, Ream, Rehberg.

Total 6

Absent or not voting: Clark.

Total 1

HB 139 - Representative Simon moved HB 139 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Stickney,

Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 79

Noes: Bachini, Connelly, Davis, DeBruycker, Glaser, Harrington, Koehnke, O'Connell, Owens, Raney, Schye, Squires, Stang, Westlake, Wyatt.

Total 15

Excused: Kadas, Marks, Peck, Ramirez, Ream, Rehberg.

Total 6

Absent or not voting: None.

Total 0

HB 147 - Representative Whalen moved HB 147 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Peterson, Ream, Spaeth.

Total 3

Paired: Whalen, Aye; Ream, No.

Excused: Kadas, Marks, Peck, Ramirez, Rehberg.

Total 5

Absent or not voting: Cohen.

Total 1

Representative Ramirez present at this time.

HB 149 - Representative Stang moved HB 149 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Gilbert, Glaser, Grinde, Guthrie, Koehnke, Lee, R. Nelson, O'Keefe, Swysgood, Thoft.

Total 10

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: Kasten, Menahan.

Total 2

HB 152 - Representative Addy moved HB 152 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: None.

Total 0

HB 160 - Representative Stepler moved HB 160 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Smith.

Total 1

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: Hannah.

Total 1

HB 174 - Representative Grinde moved HB 174 do pass: Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Giacometto.

Total 1

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: None.

Total 0

HB 178 - Representative Cody moved HB 178 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: None.

Total 0

HB 180 - Representative Hannah moved HB 180 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez,

Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Grinde, Spaeth, Swysgood, Thoft, Thomas, Wyatt.

Total 6

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: None.

Total 0

HB 182 - Representative Quilici moved HB 182 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Clark, Thomas.

Total 2

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: None.

Total 0

HB 183 - Representative Roth moved HB 183, second reading copy, be amended as follows:

1. Page 1, line 13.

Following: "40" on line 12

Strike: "120" on line 13

Insert: "90"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: Harrington.

Total 1

Representative Roth moved HB 183, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 87

Noes: Brooke, Cobb, Cohen, Good, Guthrie, Stang, Wyatt.

Total 7

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: Harrington.

Total 1

HB 205 - Representative Stang moved HB 205 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Compton, Daily, Darko, Elliott, Eudaily, Giacometto, Gilbert, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kimberley, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Quilici, Ramirez, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Thomas, Westlake, Wyatt, Mr. Speaker.

Total 53

Noes: Bachini, Boharski, Campbell, Clark, Cobb, Cody, Cohen, Connelly, Davis, DeBruycker, DeMars, Driscoll, Ellison, Gervais, Glaser, Good, Grady, Grinde, Guthrie, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, McCormick, L. Nelson, O'Keefe, Patterson, Peterson, Phillips, Raney, Rice, Roth, Simpkins, Spring, Stepler, Swysgood, Thoft, Wallin, Whalen, Zook.

Total 42

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: None.

Total 0

HB 211 - Representative Simon moved HB 211, second reading copy, be amended as follows:

1. Page 1, line 10.

Following: "MCA." on line 9

Insert:

"Statement of Intent

A statement of intent is required for this bill to clarify the extension of existing authority to make rules on the subject of the provisions of this act.

It is the intent of this legislature that the board of nursing home administrators adopt rules governing the qualifications for licensure as a nursing home administrator, which qualifications are reasonably related to the performance of the functions normally carried out by those serving as nursing home administrators.

Any course of instruction, training, or education prescribed by the board should be related to the performance of the functions normally carried out by those employed as nursing home administrators and the protection of patients cared for in nursing homes.

"Education" prescribed should not be interpreted to mean only formal, post secondary education in a college or university, but also other types of educational training and courses, including continuing education courses approved by the board. It is also the intent of the legislature that the board not require a baccalaureate degree unless the federal government mandates such a degree for purposes of the state receiving federal financial participation for medicare.

The intent of the legislature is not to exclude qualified individuals because they do not meet an arbitrary standard that does not bear a strong relationship to expected job performance, but to exclude only those who are truly unqualified in the judgment of the board. The legislature intends that the written examination provided for in subsection (1)(c) of [the act] provides additional protection to the public in screening out unqualified candidates."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connely, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Hansen, McCormick.

Total 2

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: Harrington, T. Nelson.

Total 2

Representative Addy moved HB 211, second reading copy, be amended as follows:

1. Paragraph 4, line 1.

Strike: "Education" prescribed should not be interpreted to mean only formal, postsecondary education in a college or university, but also other types of educational training and courses, including continuing education courses approved by the board."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Hansen, Harper, Harrington, Johnson, Kasten, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Rice, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Keller, Knapp, Lee, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Wallin, Zook.
Total 42

Excused: Kadas, Marks, Peck, Ream, Rehberg.

Total 5

Absent or not voting: None.

Total 0

Representatives Owens and Ramirez excused at this time.

Representative T. Nelson moved HB 211, second reading copy, be amended. Amendment failed. (28-65)

Representative Addy moved HB 211, second reading copy, be amended as follows:

1. Title, line 8.

Following: "OF"

Strike: "A BACCALAUREATE DEGREE"

Insert: "2 YEARS OF EDUCATION"

2. Page 2, line 17.

Following: "amended." on line 16

Strike: section 2 in its entirety

Renumber: subsequent sections

Representative T. Nelson moved to divide the amendment. Motion carried.

Amendment No. 1 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp,

Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Quilici, Raney, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 76

Noes: Boharski, D. Brown, Clark, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Hannah, Hayne, Kasten, R. Nelson, T. Nelson, Phillips, Rehberg, Roth, Smith, Wyatt.

Total 18

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: None.

Total 0

Amendment No. 2 failed. (40-53)

Representative Boharski moved HB 211, second reading copy, be amended as follows:

1. Page 1, line 22.

Following: "equivalent"

Insert: "and"

2. Page 2, line 6.

Following: "~~sufficient~~"

Insert: "SUFFICIENT"

Strike: "2 YEARS OF"

3. Page 2, line 7.

Following: "~~or~~"

Strike: "AND"

Insert: "OR"

Following: "experience"

Insert: ", OR A COMBINATION OF EDUCATION, TRAINING, AND EXPERIENCE"

Amendment passed as follows:

Ayes: Aafedt, Boharski, Campbell, Clark, Cobb, Cohen, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Mercer, R. Nelson, T. Nelson, Patterson, Peterson, Phillips, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 48

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Grady, Hansen, Harper, Johnson, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 47

Paired: Rehberg, Aye; Ream, No.

Excused: Kadas, Marks, Owens, Peck, Ramirez.

Total 5

Absent or not voting: None.

Total 0

Representative Addy moved HB 211, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 82

Noes: Clark, DeBruycker, Gilbert, Good, Gould, Grinde, Hanson, Hoffman, Kasten, Knapp, Patterson, Pavlovich, Phillips, Zook.

Total 14

Paired: Kadas, Ream, Ayes; Gilbert, Gould, Noes.

Excused: Marks, Owens, Peck, Ramirez.

Total 4

Absent or not voting: None.

Total 0

HB 214 - Representative Smith moved HB 214 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: Simon.

Total 1

Representative Driscoll assumed the Chair at this time.

HB 219 - Representative Harper moved HB 219 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: None.

Total 0

HB 226 - Representative Stickney moved HB 226 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Boharski, Campbell, Clark, Glaser.

Total 4

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: D. Brown, Strizich.

Total 2

HB 227 - Representative Harrington moved HB 227 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring,

Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: None.

Total 0

HB 233 - Representative D. Brown moved HB 233 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bardanouve, Koehnke.

Total 2

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: Brooke.

Total 1

HB 242 - Representative Cobb moved consideration of HB 242 be passed for the day. Motion carried.

Representative D. Brown resumed the Chair at this time.

HB 249 - Representative Swysgood moved HB 249 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: Cohen, Harrington.

Total 2

HB 251 - Representative Mercer moved HB 251, second reading copy, be amended as follows:

1. Title, lines 6 and 7.

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 30-9-109 AND"

2. Page 1.

Following: line 9

Insert: "Section 1. Section 30-9-109, MCA, is amended to read:

"30-9-109. Classification of goods — "consumer goods" — "equipment" — "farm products" — "inventory". Goods are:

(1) "consumer goods" if they are used or bought for use primarily for personal, family or household purposes;

(2) "equipment" if they are used or bought for use primarily in business (including farming or a profession) or by a debtor who is a nonprofit organization or a governmental subdivision or agency or if the goods are not included in the definitions of inventory, farm products or consumer goods;

(3) "farm products" if they are crops or livestock or supplies used or produced in farming operations or if they are products of crops or livestock in their unmanufactured states (such as ginned cotton, wool clip, maple syrup, milk and eggs), including crops growing or to be grown, and if they are in the possession of a debtor engaged in raising, fattening, grazing or other farming operations. If goods are farm products they are neither equipment nor inventory;

(4) "inventory" if they are held by a person who holds them for sale or lease or to be furnished under contracts of service or if he has so furnished them, or if they are raw materials, work in process or materials used or consumed in a business. Inventory of a person is not to be classified as his equipment."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: Cohen.

Total 1

Representative Swysgood moved HB 251, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cody, DeBruycker.

Total 2

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: None.

Total 0

HB 275 - Representative L. Nelson moved HB 275 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Campbell, DeBruycker, Ellison, Raney, Stang.

Total 5

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: None.

Total 0

HB 290 - Representative Giacometto moved HB 290 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Campbell, Grinde, O'Keefe, Stang.

Total 4

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream.

Total 6

Absent or not voting: Spring.

Total 1

HJR 5 - Representative Bardanouve moved HJR 5 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Johnson, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Squires, Stang, Steppler, Stickney, Strizich, Swift, Whalen, Wyatt, Zook, Mr. Speaker.

Total 56

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hanson, Hayne, Iverson, Kasten, Keller, Knapp, Lee, R. Nelson, T. Nelson, Patterson, Peterson, Phillips, Simon, Simpkins, Smith, Spaeth, Spring, Swysgood, Thoft, Thomas, Wallin, Westlake.

Total 38

Paired: Peck, Ream, Russell, Ayes; Aafedt, Gilbert, Thomas, Noes.

Excused: Kadas, Marks, Owens, Ramirez.

Total 4

Absent or not voting: Cody, O'Connell.

Total 2

Representative Russell excused at this time.

HB 3 - Representative Harrington moved Senate amendments to HB 3 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley,

Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cobb.

Total 1

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream, Russell.

Total 7

Absent or not voting: Knapp.

Total 1

HJR 3 - Representative Menahan moved Senate amendments to HJR 3 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Rice, Schye, Simon, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 70

Noes: Boharski, Campbell, Cobb, Cody, DeBruycker, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hanson, Lee, Patterson, Phillips, Rehberg, Roth, Simpkins, Spaeth, Stang, Swysgood, Thoft, Thomas.

Total 23

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream, Russell.

Total 7

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman D. Brown moved the adoption of the committee report. Report adopted. (91-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 172 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Lee, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Quilici, Rehberg, Rice, Roth, Schye,

Simon, Simpkins, Smith, Spaeth, Spring, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.
Total 70

Noes: Addy, Cocchiarella, Cohen, Daily, DeMars, Gervais, Grady, Harper, Harrington, Kimberley, Koehnke, McCormick, McDonough, Nisbet, O'Keefe, Pavlovich, Raney, Squires, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt.
Total 24

Paired: Owens, Aye; Strizich, No.

Excused: Kadas, Marks, Peck, Ramirez, Ream, Russell.
Total 6

Absent or not voting: None.
Total 0

HB 189 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream, Russell.
Total 7

Absent or not voting: None.
Total 0

HB 216 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Raney.
Total 1

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream, Russell.
Total 7

Absent or not voting: None.
Total 0

HB 228 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bachini, Cobb, Davis, Grinde, Guthrie, Peterson, Swysgood, Thoft.
Total 8

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream, Russell.
Total 7

Absent or not voting: Simpkins.
Total 1

HB 229 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Davis.
Total 1

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream, Russell.
Total 7

Absent or not voting: Ellison.
Total 1

HB 230 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper,

Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream, Russell.

Total 7

Absent or not voting: None.

Total 0

HB 252 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Swift.

Total 1

Excused: Kadas, Marks, Owens, Peck, Ramirez, Ream, Russell.

Total 7

Absent or not voting: Hoffman.

Total 1

MOTIONS

Representative D. Brown moved HB 233 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Menahan moved HB 221 be taken from the second reading board of the 25th legislative day and rereferred to the Committee on Business and Economic Development. Motion carried.

SPECIAL ORDERS OF THE DAY

Upon objection of Representatives R. Nelson, Kasten, and Giacometto, HB 237 was removed from the consent calendar and placed on second reading.

The following sponsors were added to HB 364: Connelly, Squires, B. Brown, and Harp.

The following sponsor was removed from HJR 11: Spaeth.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Terry Bartlett, Seeley Lake
Kristi Border, Belgrade
Skye Dragoo, Bozeman
Rock Hardgrove, Billings
Larisa Maney, Butte
Meredith Neumeyer, Helena
Ivana Pavicic, Shepherd
Kristin Prevost, Lambert
Cathy Stewart, Dillon
Gabrielle Winer, Bozeman

Representative Harper moved the House adjourn until 1:00 p.m.,
Monday, January 30, 1989.

Motion carried.

House adjourned at 12:00 noon.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
January 30, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Addy. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily, and Grady, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/30/89

Correctly engrossed: HB 97, HB 118, HB 122, HB 139, HB 147, HB 149, HB 152, HB 160, HB 174, HB 178, HB 180, HB 182, HB 183, HB 205, HB 211, HB 214, HB 219, HB 226, HB 227, HB 237, HB 249, HB 251, HB 275, HB 290, HJR 5.

NATURAL RESOURCES (Raney, Chairman): 1/25/89

HB 133, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Following: "LEASES;"

Strike: remainder of lines 7 and 8 in their entirety

Insert: "PROVIDING FOR REFUND OF DELAY DRILLING PENALTIES FOR YEARS IN WHICH DRILLING OCCURS,"

2. Title, line 9.

Following: "77-3-423,"

Strike: ""

Insert: "THROUGH"

Following: "77-3-427"

Insert: "AND"

3. Title, line 10.

Strike: "AND 77-3-434," through "77-3-424,"

4. Title, line 11.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

5. Page 2, lines 18 and 19.

Strike: "continues to pay an annual rental as set forth in 77-3-423"

Insert: "resumes payment of any delay drilling penalties imposed by the board. Upon the resumption of payment of any required delay drilling penalties and their continued payment, the lease continues in force during the primary term as though there had been no interruption in the delay drilling penalty payments"

6. Page 3, line 6.

Following: "if"

Strike: "it"

Insert: "the board"

7. Page 3, line 11.

Following: "otherwise."

Insert: "(3) If the board or the lessee terminates the lease, that termination does not impair any implied covenant against drainage or the right of the board to seek damages from the lessee for the lessee's failure to protect the lease from drainage of oil or gas by a well adjacent to the state lease."

8. Page 3, line 17.

Following: "~~in~~"

Strike: "on"

Insert: "in"

9. Page 4, line 7 through page 5, line 1.

Strike: sections 5 and 6 in their entirety

Insert: "Section 5. Section 77-3-424, MCA, is amended to read:

"77-3-424. Power to terminate lease in absence of commencement of drilling or payment of delay drilling penalty. (1) In every oil and gas lease granted after March 3, 1955, under this part there ~~shall~~ must be reserved to the board full power to declare termination of the lease at the end of the fifth year or any subsequent year of the primary term of the lease upon failure of the lessee to either:

(a) commence the drilling of a well for oil and gas upon the leased premises; or

(b) pay a delay drilling penalty as follows:

(i) for the sixth year of the lease \$1.25 per acre per year; and

(ii) for the remainder of the primary term of the lease an amount per acre per year as the board may in its discretion determine.

(2) Notice of that determination ~~shall~~ must be given to the lessee, and if the lessee applies for a hearing thereon within 10 days after receipt of the notice, the determination ~~shall become~~ becomes final only after ~~such~~ the hearing has been held.

(3) This annual delay drilling penalty ~~shall~~ must be paid each year in advance. The board shall refund delay drilling penalties paid on a lease for any year in which the lessee commences drilling on that lease.

(4) If a well for oil and gas is commenced, the drilling of the well ~~shall~~ must be prosecuted with due diligence and dispatch to such depth as is necessary to make a reasonable test for oil and gas."

Renumber: subsequent sections

10. Page 5.

Following: line 5

Insert: "NEW SECTION. Section 7. Applicability. [This act] applies to all leases entered into after [the effective date of this act]."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 1/28/89

HB 37, introduced by Cohen

Senate bills passed and transmitted to the House for concurrence: 1/28/89

SB 46, introduced by Mazurek

SB 66, introduced by Jacobson

SB 122, introduced by Nathe

SB 192, introduced by Jacobson

SB 193, introduced by Jacobson

SB 195, introduced by Keating

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

- HB 480**, introduced by Knapp, Kimberley, T. Nelson, R. Nelson, Mercer, Spaeth, Van Valkenburg, referred to Committee on Judiciary
- HB 481**, introduced by Spring, Eudaily, Davis, Johnson, Darko, R. Nelson, referred to Committee on Education and Cultural Resources
- HB 482**, introduced by Cocchiarella, Gould, Stang, referred to Committee on Local Government
- HB 483**, introduced by Driscoll, Quilici, Addy, Kimberley, Whalen, McDonough, Gervais, Strizich, Pavlovich, Hannah, Roth, Simon, T. Nelson, Ramirez, referred to Committee on Business and Economic Development
- HB 484**, introduced by Hannah, Bradley, Gilbert, Harper, Driscoll, Halligan, Rapp-Svrcek, referred to Committee on Natural Resources
- HB 485**, introduced by Cohen, Darko, Campbell, Grady, referred to Committee on Local Government
- HB 486**, introduced by Grady, Harper, O'Keefe, Simon, referred to Committee on Natural Resources
- HB 487**, introduced by McDonough, Thomas, B. Brown, Harper, O'Keefe, Rapp-Svrcek (by request of the Secretary of State), referred to Committee on State Administration
- HB 488**, introduced by Brooke, Johnson, Rice, Connelly, Cocchiarella, Raney, Wyatt, McCormick, Bachini, J. Brown, referred to Committee on State Administration
- HB 489**, introduced by Rice, referred to Committee on Judiciary
- HB 490**, introduced by Spaeth, referred to Committee on Business and Economic Development
- HB 491**, introduced by Spaeth, Bradley, referred to Committee on Judiciary
- HB 492**, introduced by Spaeth, referred to Committee on Judiciary
- HB 493**, introduced by Strizich, referred to Committee on Judiciary
- HB 494**, introduced by Moore, Bardanouve, Hannah, O'Keefe, Hansen, Bradley, Harper, Brooke, Stickney, Cocchiarella, Koehnke, Davis, J. Brown, Wallin, referred to Committee on Taxation
- HB 495**, introduced by Strizich, Darko, Connelly, referred to Committee on Judiciary

MOTIONS

Representative Hannah moved the rules be suspended to permit the late drafting and introduction of a bill. Motion carried.

Representative Stang moved HB 205 be taken from enrolling and rereferred to the Committee on Local Government. Motion carried.

Representative Pavlovich moved HJR 12 be taken from the Committee on Highways and Transportation and rereferred to the Committee on Business and Economic Development. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 218 - Representative J. Brown moved HB 218 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Campbell, Cobb, Grinde.

Total 3

Excused: Eudaily, Grady.

Total 2

Absent or not voting: Daily, Swysgood.

Total 2

HB 222 - Representative Menahan moved HB 222, second reading copy, be amended as follows:

1. Title, line 8.

Following: "BARBER;" on line 7

Strike: "PROVIDING FOR IMPOSITION OF AN ADMINISTRATIVE FINE;" on line 8

2. Page 1, line 18.

Following: "barber" on line 17

Strike: "2"

Insert: "or the licenses of any"

Following: " "

Strike: "or"²

Following: "school"

Insert: " "

3. Page 1, line 18.

Following: "heense"

Strike: "or may impose a fine not to exceed \$500 an incident against a licensee"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens,

Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cohen.

Total 1

Excused: Eudaily, Grady.

Total 2

Absent or not voting: Kadas, Swysgood.

Total 2

Representative Menahan moved HB 222, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: DeMars, Koehnke.

Total 2

Excused: Eudaily, Grady.

Total 2

Absent or not voting: None.

Total 0

HB 235 - Representative Spaeth moved HB 235 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Boharski, DeBruycker, Good, Grinde, Owens, Patterson, Phillips, Simpkins, Swysgood.

Total 9

Excused: Eudaily, Grady.

Total 2

Absent or not voting: None.

Total 0

HB 239 - Representative Simpkins moved HB 239 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Campbell, Cohen, DeMars, Koehnke, Stang.

Total 5

Excused: Eudaily, Grady.

Total 2

Absent or not voting: None.

Total 0

HB 242 - Representative Cobb moved HB 242 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Kimberley.

Total 1

Excused: Eudaily, Grady.

Total 2

Absent or not voting: None.

Total 0

HB 258 - Representative Spaeth moved HB 258 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Ellison, Gervais, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Mr. Speaker.

Total 78

Noes: Boharski, Campbell, Clark, Cobb, Cody, Davis, DeBruycker, Giacometto, Grinde, Kasten, Knapp, Koehnke, Owens, Peck, Peterson, Ramirez, Simpkins, Spring, Whalen, Zook.

Total 20

Excused: Eudaily, Grady.

Total 2

Absent or not voting: None.

Total 0

Representative Eudaily present at this time.

HB 262 - Representative Hoffman moved HB 262 do pass. Motion carried as follows:

Ayes: Bachini, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Compton, Daily, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Lee, Marks, McCormick, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 59

Noes: Aafedt, Addy, Bardanouve, Brooke, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Grinde, Hannah, Harper, Kadas, Kilpatrick, Kimberley, Koehnke, McDonough, Menahan, Moore, L. Nelson, O'Keefe, Peck, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 39

Excused: Grady.

Total 1

Absent or not voting: D. Brown.

Total 1

Representative Grady present at this time.

HB 270 - Representative Ramirez moved HB 270 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington,

Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: Bardanouve.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 284 - Representative Harper moved HB 284 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Quilici.

Total 1

HJR 10 - Representative J. Brown moved HJR 10 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift,

Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Addy, Harper.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Swysgood moved the adoption of the committee report. Report adopted. (97-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Representative Cobb excused at this time.

HB 28 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 64

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Lee, Marks, Mercer, R. Nelson, T. Nelson, Ramirez, Rehberg, Roth, Simon, Simpkins, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 36

Paired: Driscoll, Aye; Cobb, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 123 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens,

Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cody, Nisbet, Whalen.
Total 3

Excused: Cobb.
Total 1

Absent or not voting: McCormick.
Total 1

HB 127 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Glaser, Grinde, Swysgood, Thoft.
Total 4

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 128 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Campbell, Eudaily, Glaser, Good, Grinde, Guthrie, Hannah, Kasten, Marks, T. Nelson, Roth, Simon, Swysgood, Whalen.
Total 14

Excused: Cobb.
Total 1

Absent or not voting: None

Total 0

HB 159 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Cobb.

Total 1

Absent or not voting: None.

Total 0

HB 260 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Driscoll.

Total 1

Excused: Cobb.

Total 1

Absent or not voting: Smith.

Total 1

HB 281 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington,

Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Cobb.

Total 1

Absent or not voting: Peterson.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/30/89
Correctly printed: HB 237.

JUDICIARY (D. Brown, Chairman): 1/30/89
HB 69, introduced bill, be amended as follows:

1. Page 1, line 25.

Following: "deeded land"

Strike: "and"

Insert: ", or"

2. Page 2, line 1.

Following: "state"

Insert: ", or a combination of the two,"

And, as amended, do pass. Report adopted.

HB 154, introduced bill, be amended as follows:

1. Title, line 7.

Following: "APPEAL,"

Insert: "TO ALLOW EITHER THE WORKERS' COMPENSATION
JUDGE OR THE SUPREME COURT TO GRANT A STAY OF
EXECUTION DURING APPEAL,"

2. Title, line 8.

Strike: "A RETROACTIVE"

Insert: "AN"

3. Page 1, line 14.

Following: "to the"

Insert: "workers' compensation"

4. Page 1, line 18.

Following: "execution"

Insert: "under this subsection"

5. Page 1, lines 20 and 21.

Strike: "Except" on line 20 through "the" on line 21

Insert: "The"

Following: "request" on line 21

Insert: "of the workers' compensation judge or the supreme court"

6. Page 2, line 2.

Following: "law."

Insert: "A court granting a stay may waive the bond requirement."

7. Page 2, line 4.

Strike: "Civil"

Insert: "Appellate"

8. Page 2, line 15.

Strike: "Retroactive applicability"

Insert: "Applicability"

9. Page 2, lines 15 through 19.

Strike: "is" on line 15 through "before" on line 19

Insert: "applies to injuries occurring after"

And, as amended, do pass. Report adopted.

HB 155, introduced bill, be amended as follows:

1. Page 2, line 24, through page 3, line 6.

Strike: "An" on line 24 of page 2 through "claim" on line 6 of page 3

Insert: "If a claimant who has reached maximum healing suffers a subsequent nonwork-related injury to the same part of the body, the workers' compensation insurer is not liable for any compensation or medical benefits caused by the subsequent nonwork-related injury"

And, as amended, do pass. Report adopted.

HB 201, do pass. Report adopted.

HB 265, introduced bill, be amended as follows:

1. Page 3, line 20.

Following: "obligate"

Insert: "funding from"

And, as amended, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Tuesday, January 31, 1989.

Motion carried.

House adjourned at 2:40 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
January 31, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-second legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/31/89
Correctly printed: HB 69, HB 133, HB 154, HB 155, HB 201, HB 265.
Correctly engrossed: HB 218, HB 222, HB 235, HB 239, HB 242, HB 258, HB 262, HB 270, HB 284, HJR 10.
Correctly enrolled: HB 41.
Examined by the sponsor and found to be correct:
HB 41 - Gilbert
Signed by the Speaker at 12:30 p.m., 1/31/89: HB 41.
Delivered to the Governor for his approval at 1:40 p.m., 1/31/89: HB 41.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman): 1/26/89

HB 273, do pass. Report adopted.

HB 352, introduced bill, be amended as follows: 1/30/89

1. Title, line 5.

Following: "CONSTITUTES"

Insert: "A VACANCY IN THE OFFICE OF CONSERVATION DISTRICT SUPERVISOR AND"

2. Title, line 6.

Strike: "SECTION"

Insert: "SECTIONS 76-15-312 AND"

3. Page 1.

Following: line 9

Insert: "Section 1. Section 76-15-312, MCA, is amended to read:

"76-15-312. Term of office and vacancies. (1) The term of office of each supervisor shall be 4 years, except that the supervisors who are first appointed by the department shall be designated to serve for terms of 2 years from the date of their appointment. An elected supervisor shall hold office until his successor has been elected and has qualified.

(2) A vacancy is created when any of the following events occurs before the expiration of the term of the incumbent:

(a) death;

(b) a determination pursuant to Title 53, chapter 21, part 1, that the incumbent is mentally ill;

(c) resignation;

(d) removal from office;

- (e) neglect of duty or malfeasance in office;
- (f) ceasing to be a resident of the district;
- (g) conviction of a felony or a violation of official duties; or
- (h) the decision of a court declaring void the incumbent's election or appointment.

~~(2)~~(3) Any vacancy occurring in the office of an elected supervisor shall be filled by appointment by the remaining supervisors until the next regular election, when a successor shall be elected to serve the unexpired term.””

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 360, introduced bill, be amended as follows:

1. Page 4, line 11.
Following: “provide”
Strike: “, through the department,”
2. Page 5, lines 3 through 7.
Strike: subsection (5) in its entirety
Renumber: subsequent subsections
3. Page 6, line 23.
Strike: “committee-appointed”
Insert: “department-appointed”
4. Page 7, line 25.
Following: “shall”
Insert: “by rule”
5. Page 8, lines 7, 15, 18, 19, and 25.
Strike: “department”
Insert: “committee”
6. Page 9, lines 2 and 6.
Strike: “other”
Insert: “state”
7. Page 9, lines 16 and 25.
Strike: “department”
Insert: “committee”
8. Page 10, line 2.
Strike: “department”
Insert: “committee”
9. Page 11, lines 4 and 9.
Strike: “department”
Insert: “committee”

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

1/31/89

HB 397, introduced bill, be amended as follows:

1. Title, line 7.
Strike: “AND THE STATUS OF”

And, as amended, do pass. Report adopted.

Adverse Committee Report 1/30/89
HB 299, do not pass.

HUMAN SERVICES AND AGING (Hansen, Chairman): 1/30/89
HB 305, introduced bill, be amended as follows:

1. Page 2, line 19.
Following: "(f)"
Insert: "if the child is an Indian,"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 1/30/89
HB 362, introduced bill, be amended as follows:

1. Title, line 10.
Following: "1980;"
Insert: "AND"
2. Title, line 11.
Strike: ":", through "DATE"
3. Page 4, lines 15 and 16.
Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 1/30/89

HB 34, introduced by Harrington
HB 67, introduced by Hansen
HB 85, introduced by Hansen

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 1/30/89

HB 19, introduced by Swysgood

Senate bills passed and transmitted to the House for concurrence: 1/30/89

SB 1, introduced by Anderson
SB 105, introduced by Mazurek
SB 137, introduced by Nathe
SB 139, introduced by Hager
SB 140, introduced by Jergeson
SB 141, introduced by Harding
SB 150, introduced by Bishop

SB 117, introduced by Keating, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed by the Senate and is returned to the House with the following vote: 1/30/89

YEAS - 27
NAYS - 22

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 496, introduced by Nisbet, Vincent, Raney, Spaeth, Quilici, Swysgood, O'Connell, Grinde, Connelly, Cody, Bachini, Manning,

DeMars, Thoft, Kimberley, Marks, Bradley, Darko, Bardanouve, Peck, Campbell, Strizich, Schye, Menahan, Tveit, referred to Committee on Legislative Administration

HB 497, introduced by Darko, Brooke, Strizich, Addy, Vincent, referred to Committee on Judiciary

HB 498, introduced by Grady, Beck, referred to Committee on Natural Resources

HB 499, introduced by Giacometto, Devlin, referred to Committee on Judiciary

HB 501, introduced by Stickney, Moore, Cody, Abrams, referred to Committee on Local Government

HB 502, introduced by Wyatt, Thomas, Peck, Swysgood, O'Connell, Koehnke, Simpkins, referred to Committee on State Administration

The following Senate bill was introduced, read first time, and referred to committee:

SB 117, introduced by Keating, Hammond, Hansen, Phillips, Simon, Gilbert, Hofman, Boylan, Crippen, Cobb, Daily, referred to Committee on Taxation

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Representatives Brooke and Marks excused at this time.

HB 97 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Campbell, Gilbert, Whalen.

Total 3

Excused: Brooke, Marks.

Total 2

Absent or not voting: None.

Total 0

Representatives Squires excused at this time.

HB 118 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller,

Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Boharski, Campbell, Cohen, Grinde, Guthrie, Hannah, Koehnke, Lee, Peck, Simon, Swysgood, Thoft.

Total 12

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 122 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: Hansen.

Total 1

HB 139 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook, Mr. Speaker.

Total 79

Noes: Bachini, Boharski, Campbell, Cody, Connelly, Darko, Davis, DeBruycker, Glaser, Koehnke, McCormick, O'Connell, Peck, Phillips, Schye, Stang, Westlake, Wyatt.

Total 18

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 147 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Peterson, Ream, Spaeth.

Total 3

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 149 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Boharski, Campbell, Grady, Grinde, Guthrie, Koehnke, Lee, O'Keefe, Smith, Swysgood, Thoft.

Total 11

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 152 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould,

Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 160 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Glaser.

Total 1

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 174 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Giacometto, O'Keefe.

Total 2

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: R. Nelson.

Total 1

HB 178 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 180 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Peck, Swysgood, Thoft.

Total 3

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 182 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen,

Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Spring.
Total 1

Excused: Brooke, Marks, Squires.
Total 3

Absent or not voting: Grinde.
Total 1

HB 183 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 89

Noes: Cobb, Cohen, Good, Guthrie, Rehberg, Stang, Wyatt.
Total 7

Excused: Brooke, Marks, Squires.
Total 3

Absent or not voting: Keller.
Total 1

HB 211 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 76

Noes: Campbell, Clark, Cobb, DeBruycker, Ellison, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Owens, Phillips, Simpkins, Spring, Zook.

Total 23

Paired: Brooke, Squires, Ayes; Kasten, Knapp, Noes.

Excused: Marks.

Total 1

Absent or not voting: None.

Total 0

HB 214 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: Johnson.

Total 1

HB 219 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: Smith.

Total 1

HB 226 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Boharski, Driscoll.

Total 2

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 227 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 249 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon,

Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Brooke, Marks, Squires.
Total 3

Absent or not voting: Westlake.
Total 1

HB 251 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cody, DeBruycker.
Total 2

Excused: Brooke, Marks, Squires.
Total 3

Absent or not voting: None.
Total 0

HB 275 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Campbell, DeBruycker, Ellison, Raney, Stang.
Total 5

Excused: Brooke, Marks, Squires.
Total 3

Absent or not voting: None.
Total 0

HB 290 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Cohen, Good, Grinde, Hansen, O'Keefe, Stang.

Total 7

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HB 309 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cobb, Cohen.

Total 2

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HJR 5 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hannah, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Roth, Russell, Schye, Spaeth, Stang, Stepler, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 51

Noes: Aafedt, Boharski, D. Brown, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 46

Paired: Brooke, Aye; Giacometto, No.

Excused: Marks, Squires.

Total 2

Absent or not voting: O'Connell.

Total 1

HB 3, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

HJR 3, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 79

Noes: Boharski, Cobb, DeBruycker, Glaser, Good, Grinde, Guthrie, Hanson, Lee, Patterson, Peck, Phillips, Roth, Stang, Swift, Swysgood, Thoft, Mr. Speaker.

Total 18

Excused: Brooke, Marks, Squires.

Total 3

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

JUDICIARY (D. Brown, Chairman):

1/31/89

HB 168, do pass. Report adopted.

HB 179, do pass. Report adopted.

HB 286, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "OWN"

Insert: "USE"

2. Page 2, lines 12 and 13.

Strike: "(a), 1(c) through (1)(e),"

3. Page 2, lines 13 through 16.

Strike: "impose" on line 13 through "society" on line 16

Insert: "restrict an individual's right to carry or use dangerous weapons as a condition of sentence"

And, as amended, do pass. Report adopted.

HB 312, do pass. Report adopted.

HB 454, do pass. Report adopted.

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 469: Regan.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:15 p.m., Wednesday, February 1, 1989.

Motion carried.

House adjourned at 1:27 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 1, 1989

House Chambers
State Capitol

House convened at 12:15 p.m., Mr. Speaker in the Chair.

Roll call. All members present. Quorum present.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Carlson escorted elected officials and guests into the chamber.

A committee from the Senate composed of Senators Brown, Nathe, and Blaylock was admitted and reported to the House the Senate was ready to meet in joint session and hear the State of the Judiciary Address.

Sergeant-at-Arms Carlson escorted members of the Senate into the House chamber.

Speaker Vincent appointed Representatives Harper and Ramirez and discharged them to escort the Honorable Governor and Mrs. Stan Stephens into the chamber.

Speaker Vincent introduced President Galt and yielded the Chair to him.

Senator Gage moved the body resolve itself into a joint session for the purpose of receiving the State of the Judiciary Address from the Supreme Court of the State of Montana. Motion carried.

Senator Gage moved the calling of roll be dispensed with. Motion carried.

Senator Gage moved President Galt be authorized to appoint a committee of two to notify the Honorable Chief Justice and Honorable Justices of the Supreme Court of the State of Montana the House and Senate are now in joint session and ready to receive them. Motion carried.

President Galt appointed Senator Crippen and Representative Addy and discharged them to escort the members of the Supreme Court to the House chamber.

The Honorable Chief Justice and Honorable Justices of the Supreme Court were escorted to the well of the House.

Reverend Banks gave the Invocation. Pledge of Allegiance followed.

President Galt introduced the Honorable Justices of the Supreme Court of the State of Montana:

The Honorable John C. Harrison, Justice
The Honorable L. C. Gulbrandson, Justice
The Honorable William E. Hunt, Justice
The Honorable John C. Sheehy, Justice
The Honorable R. C. McDonough, Justice
The Honorable Fred J. Weber, Justice

President Galt introduced the Chief Justice of the Supreme Court of the State of Montana, the Honorable Jean Turnage, who gave the following address:

STATE OF THE JUDICIARY ADDRESS BY HONORABLE J. A. TURNAGE CHIEF JUSTICE, MONTANA SUPREME COURT

Thank you, Speaker Vincent, President Galt, leaders of the Democratic and Republican parties of the House and Senate, members and staff of the 51st Legislature, distinguished guests, ladies and gentlemen.

Woodrow Wilson observed at the beginning of this century that "So far as the individual is concerned, a constitutional government is as good as its courts. No better, no worse."

As we turn our attention this year to a Montana centennial celebration, it is appropriate that we reflect on the health of our Montana judicial system. I think we can say with pride that the last hundred years have seen much progress in the development of our court system. Montana's constitutional government is healthy today because of our court system.

The opening of this 51st legislative session provides us all with an opportunity for celebration and introspection about where we have been and the challenges of the future. We take pride in our accomplishments this past biennium and look forward to continued achievements in the two years ahead for which you will set the course and direction during your present deliberations.

As you know, there is a case before the court of great importance to the legislature and the entire state of Montana, "HELENA ELEMENTARY SCHOOL DISTRICT 1, THE MONTANA EDUCATION ASSOCIATION, AND OTHERS, AGAINST THE STATE OF MONTANA AND OTHERS", which has been referred to as the "school funding case" and is an appeal from the decision of District Judge Henry Loble.

On January 13, 1989, the court heard oral arguments on this case, and this morning the court has issued its unanimous opinion, authored by Justice Fred J. Weber.

The court has affirmed the holding of unconstitutionality of Montana's system of funding the public schools, but on a much narrower ground than that used by the district court. The finding of unconstitutionality is based upon Article X of the Montana Constitution. The court has concluded that, as a result of the failure to adequately fund the foundation program forcing an excessive reliance on permissive and voted levies, the state has failed to provide a system of quality education granting to each student the equality of educational opportunity guaranteed by Article X, Section 1, of the constitution.

We know that the legislature will make a careful reading of the opinion, and we know that the legislature will proceed to address this problem.

This year's State of the Judiciary Address will probably be shorter than that given any time since the beginning of such addresses. This is possible because for the first time the State of the Judiciary is accompanied by an annual report on the judiciary that outlines our judicial system and highlights important statistical information.

The 1988 annual report on the judiciary is the first of an annual series aimed at telling the story of the Montana judiciary, reporting activities and needs to the legislature, and informing Montanans about their court system. The 1988 annual report is a modest beginning — I commend it to you for your review.

This year I would like to concentrate in the few minutes available on some of the judiciary's accomplishments and concerns.

In the last two years, the Supreme Court has witnessed a continuing high level of appeals. While there was a slight drop in filings in calendar year 1987 (571 filings), the calendar year 1988 filings are the second highest in the court's history (628 filings). This long-term upward trend in filings is consistent with projections that were made two years ago by the National

Center for State Courts when the court presented its case for retaining the seven member court.

Preliminary information on 1988 district court filings indicates that the case load in 1988 is about even with the filings for 1987. Total criminal case filings were up significantly, however, over 1987.

An important accomplishment this year in courts of limited jurisdiction was the training program. In 1988, nearly 6000 hours of individual training were provided to limited jurisdiction court judges. This training is a vital aspect of keeping our judges up to date on judicial issues.

The various boards and commissions which assist the Supreme Court in accomplishing its administrative duties have experienced an increasing caseload and workload over the past few years. For example, applications to the Sentence Review Division have increased 57 percent since 1985 and cases filed with the Commission on Practice have increased 31 percent in the same time period. The boards and commissions have generally been able to handle these increased work loads without undue delay — but not without some stress. The dedication of board and commission members — the great majority of whom are private individuals serving without compensation — to accomplish their difficult tasks should not go unrecognized by either the court or the legislature. They deserve our gratitude and thanks.

I want to specifically acknowledge the invaluable help and assistance of the State Bar of Montana. Its officers and members have unselfishly provided to the court and the people of this state many services that were rendered without charge. Without this assistance, the effective administration of justice would be made much more difficult.

I would now like to turn briefly to specific concerns that you have been asked to address during this legislative session.

First, the issue of judicial salary increases. Editorial writers across the state in recent months have been nearly unanimous in urging higher salaries for Montana judges. The Kalispell Daily Inter Lake summarized the urgent need to raise judicial salaries by first noting that Montana judicial salaries were "dead last" when compared to all other states and U.S. territories. The editorial went on to say:

Someone has to be last, of course, and if only our pride were at stake, we could stand it.

Unfortunately, there is more at stake.

Montana judges are guardians of our state constitution, our whole fabric of law. One hundred and fifty legislators pass laws for the governor to sign, but it is the judges who interpret those laws who must decide how they apply to individual citizens. It is the judges who have the power to rule on disputes, to decide the custody of a couple's children, to confiscate property, to deny a man freedom or take his life.

Montana has the distinction of having the nation's lowest paid judges. What most of us would want sitting in judgment in a critical situation is not the cheapest, but the best.

The judicial salary issue is one that is critical to the judicial system. In that system, the judge is the key ingredient to the fair and impartial administration of justice. Judges are entrusted with enormous discretion and an equal amount of responsibility. For the system to work and work without unnecessary delay, we must recruit and retain the best and brightest lawyers to the bench.

I would like to join the governor in his recent call to the legislature to "demonstrate progress in this important area." I would also like to commend the Senate Judiciary Committee for its efforts to recommend a committee bill on judicial salaries. The concept of a committee bill reminds us all that this important issue should not be partisan or the problem of a single sponsor — but rather that it is a significant problem that threatens to erode the strength of a vitally important branch of government.

In a related issue, you will be asked to give approval to bill this session dealing with judicial retirement. The bill provides a modest incentive to encourage experienced judges to remain on the bench after 15 years of service. It is a small investment in retaining the talent of veteran judges.

I urge the legislature to seriously address the issues of increased judicial compensation and retirement as quickly as possible.

Finally, I would like to mention the important work that has been done this past year by the Supreme Court's Commission on Technology. The Commission has spent the last year studying the ways in which computers might help the judiciary meet the goals of modernizing judicial administration and improving the judiciary's ability to manage its administrative affairs.

The Commission found that the judiciary is woefully behind other governmental agencies in the acquisition and use of modern tools. Some courts still use carbon paper and many have to fight just to have the copy machine that most governmental offices take for granted.

Someone recently remarked in a national publication that the only reason the judiciary isn't still using quill pens is that there aren't enough people still raising geese! While there may be an element of truth to this quote in other states, I would quickly add that I know of no one in the Montana judiciary who is using antiquated equipment and methods because they think it is a good idea. Judicial officers throughout the state, when shown the potential of modern tools, have been eager to use them.

The Commission on Technology has recommended, and I believe we should all support, developing a long-range plan for enhanced use of computers in our court system. We should plan now for setting standards and developing a uniform system to assure that as we begin the next 100 years of statehood, the judiciary is not left behind with inadequate and outdated tools for administering our judicial system.

You have a bill before you sponsored as a committee bill by the House Judiciary Committee that will allow the judiciary to take some modest steps toward the goal of court automation. I urge you to give the bill serious attention.

Finally, on behalf of the judiciary, I would like to thank the legislative leadership on both sides of the aisle and the members of the legislature for their support and willingness to listen to our accomplishments and concerns.

As each of you understand, there has been a developing trend in recent years in our society that focuses an ever brighter light on the responsibility of our courts. Nearly without exception, every significant social, economic, and political issue finds its way into our courtrooms for redress and resolution. Your continued commitment to maintaining a healthy court system is both necessary and greatly appreciated by the citizens of this great state.

You have a tough legislative session ahead of you. We wish you well in setting the state's course for the next two years!

Thank you for inviting the court.

The members of the Supreme Court were escorted from the House chamber by the escort committee.

The Honorable Governor and Mrs. Stan Stephens were escorted from the House chamber.

Sergeants-at-Arms Carlson and Moritz escorted the guests from the House chamber.

Senator Gage moved the joint session of the 51st Legislature be adjourned. Motion carried.

Members of the Senate retired from the House chamber.

House resumed. Speaker Vincent in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/1/89
Correctly printed: HB 168, HB 179, HB 273, HB 286, HB 305,
HB 312, HB 352, HB 360, HB 362, HB 397, HB 454.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman): 1/31/89

HB 318, do pass. Report adopted.

HB 321, do pass. Report adopted.

HB 434, do pass. Report adopted.

FISH AND GAME (Ream, Chairman): 2/1/89
HB 307, introduced bill, be amended as follows:

1. Page 2, lines 9 through 12.

Following: "ballots." on line 9

Strike: the remainder of line 9 through "held." on line 12

2. Page 3, line 21.

Following: "If"

Strike: "a"

Insert: "the"

Following: "member"

Strike: "or"

Insert: "and the"

Following: "alternate"

Strike: "resigns"

Insert: "resign"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 379, do not pass.

LOCAL GOVERNMENT (Darko, Chairman): 2/1/89
HB 148, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "representatives"

Insert: ", of which two will be"

2. Page 1, line 18.

Following: "house"

Insert: "and two will be appointed by the minority leader of the house"

3. Page 1, line 19.

Following: "senate"

Insert: ", of which two will be"

4. Page 1, line 20.

Strike: "committee on committees"

Insert: "president"

Following: "senate"

Insert: "and two will be appointed by the minority leader of the senate"

5. Page 2, line 15.

Strike: "four"

Insert: "two"

6. Page 4, lines 21 and 22.

Strike: lines 21 and 22 in their entirety

Insert: "Montana university system. The commission's research director is the director of the local government center in Bozeman, whose duties include coordinating the commission's research and disseminating research findings."

And, as amended, do pass. Report adopted.

HB 340, introduced bill, be amended as follows:

1. Title, line 4.

Following: "A"

Insert: "COUNTY'S,"

Following: "CITY'S"

Insert: ","

2. Title, line 6.

Strike: "SECTION"

Insert: "SECTIONS 7-33-2205, 7-33-2206, AND"

3. Page 1.

Following: line 9

Insert: "Section 1. Section 7-33-2205, MCA, is amended to read:

"7-33-2205. Establishment of fire season — permit requirements — regulation of fireworks. (1) The county governing body may in its discretion establish fire seasons annually, during which no person may ignite or set any forest fire, slash-burning fire, land-clearing fire, debris-burning fire, or open fire within the county protection area on any forest, range, or croplands subject to the provisions of this part without having obtained an official written permit to ignite or set such fire from the recognized protection agency for that protection area.

(2) The county governing body may in its discretion regulate or prohibit the use or sale of fireworks within the county but may not regulate the use or sale of fireworks within an incorporated city or town."

Section 2. Section 7-33-2206, MCA, is amended to read:

"7-33-2206. Violations. (1) Any person who ignites or sets any forest fire, slash-burning fire, land-clearing fire, debris-burning fire, or open fire within any forest, range, or cropland subject to the provisions of this part without first having obtained a written permit to ignite or set such fire is guilty of a misdemeanor.

(2) Any person who sells or uses fireworks in violation of a county prohibition or regulation of the sale or use of fireworks established pursuant to 7-33-2205(2) is guilty of a misdemeanor."

Renumber: subsequent sections

4. Page 2, line 6.

Following: "in a"

Insert: " (a) county that has banned the sale of fireworks within the county as authorized in 7-33-2205; or
(b)"

And, as amended, do pass. Report adopted.

HB 366, do pass. Report adopted.

HB 375, introduced bill, be amended as follows:

1. Page 2, line 2.

Following: "located."

Insert: "A public hearing on the consolidation must be held within 14 days of the first publication of notice. The hearing must be held before the joint boards of trustees at a time and place set forth in the publication of notice."

And, as amended, do pass. Report adopted.

HB 411, introduced bill, be amended as follows:

1. Page 3, line 19.

Strike: "any"

Insert: "a"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/31/89

HB 26, introduced bill, be amended as follows:

1. Page 1.

Following: line 8

Insert:

"STATEMENT OF INTENT

This bill requires the state auditor to provide for the inclusion of the units of the university system and the vocational-technical centers into the state central payroll system.

The legislature recognizes the need to include the five vocational-technical centers under the central payroll system by July 1, 1989, when the vocational-technical center employees become employees of the board of regents.

The legislature further recognizes the complexity and enormity of the task of including all units of the Montana university system under the central payroll system. Therefore, the legislature intends that the inclusion of the units begin with northern Montana college. It is expected that the state auditor will work closely with the board of regents and northern Montana college to ensure that the inclusion of the college is accomplished by January 1, 1990, with minimum disruption of services to faculty, staff, and students and without loss of data essential to the operation of the college.

The legislature recommends that the 52nd legislature consider enacting legislation to provide for the gradual inclusion of the remaining

units of the Montana university system into the central payroll system if the vocational-technical centers and northern Montana college are successfully included."

And, as amended, do pass. Report adopted.

HB 114, do pass. Report adopted.

HB 267, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: "REQUIRING" on line 4

Strike: "A" through "CANDIDATE" on line 5

Insert: "CERTAIN ELECTION MATERIALS"

2. Title, line 5.

Following: "INCLUDE"

Insert: "A CANDIDATE'S"

3. Title, lines 5 and 6.

Strike: "IN" on line 5 through "MATERIALS" on line 6

4. Page 1, lines 22 and 23.

Strike: "advocating" on line 22 through "of" on line 23

Insert: "in a partisan election financed by"

5. Page 1, line 23.

Strike: "in" through "election"

Insert: "or a political committee organized on the candidate's behalf"

And, as amended, do pass. Report adopted.

HB 385, do pass. Report adopted.

HB 408, do pass. Report adopted.

*TAXATION (Harrington, Chairman):

1/31/89

HJR 8, do pass. Report adopted.

Representatives Rice and Strizich excused at this time.

ADVERSE COMMITTEE REPORT

HB 299 - Representative Schye moved the 1/30/89 adverse committee report on HB 299 be adopted.

Representative Addy made a substitute motion HB 299 be printed and placed on second reading. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Roth, Russell, Schye, Simon, Spaeth, Spring, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 77

Noes: Campbell, Clark, Compton, Daily, Good, Grinde, Guthrie, Hanson, Hayne, Marks, R. Nelson, Owens, Phillips, Ramirez, Rehberg, Simpkins, Smith, Thomas, Wallin, Zook.

Total 20

Excused: Rice, Strizich.

Total 2

Absent or not voting: Squires.

Total 1

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/31/89

SB 107, introduced by Pinsoneault
SB 147, introduced by Vaughn
SB 153, introduced by Rasmussen
SB 170, introduced by Jergeson
SB 173, introduced by Vaughn
SB 175, introduced by Beck
SB 176, introduced by Devlin
SB 177, introduced by Yellowtail
SB 179, introduced by Walker
SB 183, introduced by Abrams
SB 188, introduced by Rapp-Svrcek
SB 189, introduced by Pipinich

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 503, introduced by Iverson, referred to Committee on Taxation
HB 504, introduced by Daily, referred to Committee on Judiciary
HB 505, introduced by Schye, Peterson, Bradley, Hammond, referred to Committee on Local Government
HB 506, introduced by Darko, Stang, referred to Committee on Highways and Transportation
HB 507, introduced by Connelly (by request of the Long-Range Planning Subcommittee), referred to Committee on Appropriations
HB 508, introduced by Darko, Driscoll, Addy, Harper, Russell, referred to Committee on Labor and Employment Relations
HB 509, introduced by Bardanouve, Nathe, Harp, referred to Committee on Agriculture, Livestock, and Irrigation
HB 510, introduced by Vincent, B. Brown, Addy, Harper, referred to Committee on Education and Cultural Resources
HB 511, introduced by Mercer, Hannah, Bardanouve, Pinsoneault, Halligan, referred to Committee on Judiciary

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Daily in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 69 - Representative DeBruycker moved HB 69 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott,

Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Cobb, Cohen, Gilbert, Menahan.

Total 5

Excused: Rice, Strizich.

Total 2

Absent or not voting: Phillips.

Total 1

Representative Rice present at this time.

HB 133 - Representative Kadas moved HB 133 be placed at the bottom of the second reading board. Motion carried.

HB 154 - Representative Smith moved HB 154 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Cohen, Whalen.

Total 2

Excused: Strizich.

Total 1

Absent or not voting: None.

Total 0

HB 155 - Representative Smith moved HB 155 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Daily, Darko, Davis, DeBruycker, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici,

Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 77

Noes: Addy, Bardanouve, D. Brown, Cocchiarella, Cohen, Connelly, DeMars, Driscoll, Hansen, Kadas, Kilpatrick, Kimberley, McDonough, Menahan, Nisbet, Raney, Ream, Russell, Schye, Squires, Whalen, Wyatt.

Total 22

Excused: Strizich.

Total 1

Absent or not voting: None.

Total 0

HB 201 - Representative Spaeth moved HB 201, second reading copy, be amended as follows:

1. Page 2, line 13.

Following: "county"

Insert: ", "

Strike: "or"

2. Page 2, lines 13 and 14.

Following: "town"

Insert: ", or the justice of the peace or the judge"

3. Page 2, line 14.

Following: "for"

Strike: "proportionate"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Strizich.

Total 1

Absent or not voting: None.

Total 0

Representative Spaeth moved HB 201, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Strizich.

Total 1

Absent or not voting: None.

Total 0

HB 237 - Representative R. Nelson moved HB 237, second reading copy, be amended as follows:

1. Page 1, line 15.

Following: "~~county~~"

Insert: "local or county"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Strizich.

Total 1

Absent or not voting: Harrington, Kilpatrick.

Total 2

Representative R. Nelson moved HB 237, as amended, do pass.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper,

Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Strizich.
Total 1

Absent or not voting: None.
Total 0

HB 133 - Representative Kadas moved consideration of HB 133 be passed for the day. Motion carried.

HB 265 - Representative Quilici moved consideration of HB 265 be passed for the day. Motion carried.

Representative Quilici moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Daily moved the adoption of the committee report. Report adopted. (96-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 218 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Campbell, Cobb, Grinde.
Total 3

Excused: Strizich.
Total 1

Absent or not voting: Cohen, Kilpatrick.
Total 2

HB 222 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: DeMars, Good, Kadas, Kasten.
Total 4

Excused: Strizich.
Total 1

Absent or not voting: None.
Total 0

HB 235 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Boharski, DeBruycker, Giacometto, Good, Grinde, Owens, Patterson, Phillips, Simpkins, Swysgood.
Total 10

Excused: Strizich.
Total 1

Absent or not voting: None.
Total 0

HB 239 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: DeMars, Koehnke, Stang.

Total 3

Excused: Strizich.

Total 1

Absent or not voting: None.

Total 0

HB 242 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Strizich.

Total 1

Absent or not voting: Ellison.

Total 1

HB 258 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Mr. Speaker.

Total 82

Noes: Boharski, Campbell, Clark, Cody, Davis, DeBruycker, Grinde, Kasten, Koehnke, Lee, Peck, Peterson, Simpkins, Whalen, Wyatt, Zook.

Total 16

Excused: Strizich.

Total 1

Absent or not voting: Marks.

Total 1

HB 262 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, D. Brown, J. Brown, Clark, Cobb, Compton, Daily, Darko, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 76

Noes: Bradley, Brooke, Campbell, Cocchiarella, Cody, Cohen, Connelly, Davis, DeBruycker, DeMars, Driscoll, Elliott, Hannah, Kadas, Kimberley, Koehnke, O'Keefe, Peck, Schye, Squires, Stang, Wyatt.

Total 22

Excused: Strizich.

Total 1

Absent or not voting: Blotkamp.

Total 1

HB 270 passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bachini, Bardanouve, Driscoll, Grinde, Peck.

Total 5

Excused: Strizich.

Total 1

Absent or not voting: Darko, Hayne.

Total 2

HB 284 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Strizich.

Total 1

Absent or not voting: None.

Total 0

HJR 10 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Strizich.

Total 1

Absent or not voting: Darko, Mercer, Roth.

Total 3

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/1/89

HB 319, introduced bill, be amended as follows:

1. Page 1, line 11.

Following: line 9

Insert:

“Statement of Intent

A statement of intent is required for [this act] because it authorizes the department of health and environmental sciences to prescribe the time frame within which a certificate of death must be filed. It is the intent of the legislature that if the department adopts new rules or amends existing rules on the subject of the provisions of this act, the department's actions must adhere to and be consistent with the requirements of the Montana Administrative Procedure Act in regard to notice and hearing.”

2. Page 1.

Following: line 20

Insert: “NEW SECTION. Section 2. Extension of Authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].”

And, as amended, do pass. Report adopted.

HB 371, do pass. Report adopted.

HB 405, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 2/1/89

HB 348, introduced bill, be amended as follows:

1. Title, line 7.

Following: “,”

Strike: “AND”

2. Title, line 9.

Following: “MCA”

Insert: “, AND PROVIDING AN EFFECTIVE DATE AND SOME
RETROACTIVE APPLICATION”

3. Page 2, line 17.

Following: “(2)”

Insert: “The division shall select a panel physician to examine a
claimant as required.”

Following: “The”

Strike: “panel members”

Insert: “division”

4. Page 2, line 22.

Following: “and”

Strike: “panel”

5. Page 4, line 20.

Following: “compensation”

Strike: “and medical benefits”

6. Page 4, lines 22 and 23.

Following: “compensation”

Strike: “and medical benefits”

7. Page 5, line 13

Following: line 12

Insert: “NEW SECTION. Section 6. Effective date — retroactive
applicability. (1) [This act] is effective July 1, 1989.

(2) [This act] applies retroactively, within the meaning of 1-2-109,
to all occupational disease claims pending before the division.”

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 156, do not pass.

STATE ADMINISTRATION (J. Brown, Chairman):

2/1/89

HB 207, introduced bill, be amended as follows:

1. Title, line 10.

Following: “,”

Insert: “PROVIDING THAT THE DIRECTOR OF THE DEPART-
MENT OF COMMERCE MAY ADOPT RULES RELATING TO
LOTTERY STAFF SALES INCENTIVES OR BONUSES AND
SALES AGENTS' COMMISSIONS;”

2. Title, line 22.

Following: “17-7-502,”

Strike: “23-5-1007,”

Insert: "23-5-1006 THROUGH"

Following: "23-5-1008,"

Insert: "23-5-1012,"

3. Page 3.

Following: line 20

Insert: "Section 2. Section 23-5-1006, MCA, is amended to read:

"23-5-1006. State lottery commission — allocation — composition — compensation — quorum. (1) There is a state lottery commission.

(2) The commission consists of five members, who shall reside in Montana, appointed by the governor.

(3) At least one commissioner must have 5 years of experience as a law enforcement officer. At least one commissioner must be an attorney admitted to the practice of law in Montana. At least one commissioner must be a certified public accountant licensed in Montana.

(4) After initial appointments, each commissioner shall be appointed to a 4-year term of office, and the terms shall be staggered.

(5) A commissioner may be removed by the governor for good cause. An office that for any reason becomes vacant must be filled within 30 days by the governor, and the commissioner filling the vacancy shall serve for the rest of the unexpired term.

(6) The commission shall elect one of its members as chairman.

(7) Three or more commissioners constitute a quorum to do business, and action may be taken by a majority of a quorum.

(8) Commissioners are entitled to compensation, to be paid out of the state lottery fund, at the rate of \$50 for each day in which they are engaged in the performance of their duties and are entitled to travel, meals, and lodging expenses, to be paid out of the state lottery fund, as provided for in Title 2, chapter 18, part 5.

(9) The commission is allocated to the department of commerce for administrative purposes only as prescribed in 2-15-121, except that the director of the department of commerce may adopt rules relating to lottery staff sales incentives or bonuses and sales agents' commissions."

Renumber: subsequent sections

4. Page 4, line 19.

Strike: "regional"

5. Page 6.

Following: line 5

Insert: "Section 5. Section 23-5-1016, MCA, is amended to read:

"23-5-1012. Powers and duties of director. (1) The director shall:

(a) administer the operation of the state lottery in accordance with this part and the rules and other directives of the commission;

(b) appoint an assistant director for security and employ and direct personnel necessary to the operation of the state lottery;

(c) license lottery ticket or chance sales agents and suspend or revoke licenses pursuant to this part and commission rules;

(d) implement plans for lottery staff sales incentives or bonuses and for sales agents' commissions pursuant to rules adopted by the department of commerce; and

~~(d)~~(e) maintain, with the assistant director for security, the security of the state lottery.

(2) With the concurrence of the commission or pursuant to commission rules, the director may enter into contracts for materials, equipment, and supplies to be used in the operation of the state lottery, for the design and installation of games, for consultant services, and for promotion of the lottery. All contracts must be made in accordance with state law. No contract is legal or enforceable that provides for the management of the state lottery or for the entire operation of its games by any private person or firm. When a contract is awarded, a performance bond satisfactory to the commission and executed by a surety company authorized to do business in this state or otherwise secured in a manner satisfactory to the commission, in an amount equal to the price of the contract, must be delivered to the commission.”

Renumber: subsequent sections

6. Page 7, line 20.

Following: “.”

Insert: “However, to further the sale of lottery products, the director of the department of commerce may adopt rules providing additional commissions to sales agents based on incremental sales.”

And, as amended, do pass. Report adopted.

HB 210, do pass. Report adopted.

HB 370, introduced bill, be amended as follows:

1. Page 2, line 4.

Strike: “\$4”

Insert: “\$4.50”

And, as amended, do pass. Report adopted.

HB 396, introduced bill, be amended as follows:

1. Title, line 7.

Strike: “PATHOLOGY”

Insert: “PATHOLOGISTS”

Strike: “AUDIOLOGY”

Insert: “AUDIOLOGISTS”

2. Title, line 11.

Following: “37-15-102,”

Insert: “37-15-103,”

3. Page 7.

Following: line 14

Insert: “Section 3. Section 37-15-103, MCA, is amended to read:

“37-15-103. Exemptions. (1) Nothing in this chapter ~~shall prevent prevents~~ a person licensed in this state under any other law from engaging in the profession or business for which he is licensed.

(2) Nothing in this chapter ~~shall restrict restricts or prevent prevents~~ activities of a ~~speech~~ speech-language pathology or audiology nature or the use of the official title of the position for which they

were employed on the part of a speech speech-language pathologist or audiologist employed by federal agencies.

(3) Those persons performing activities described in subsection (2) of this section who are not licensed under this chapter must do so solely within the confines of or under the jurisdiction of the organization in which they are employed and ~~shall~~ may not offer ~~speech~~ speech-language pathology or audiology services to the public for compensation over and above the salary they receive for performance of their official duties with organizations by which they are employed. However, without obtaining a license under this chapter, ~~such~~ these persons may consult or disseminate their research findings and scientific information to other accredited academic institutions or governmental agencies. They also may offer lectures to the public for a fee without being licensed under this chapter.

(4) Nothing in this chapter ~~shall restrict~~ restricts activities and services of a student in ~~speech~~ speech-language pathology or audiology from pursuing a course of study in ~~speech~~ speech-language pathology or audiology at an accredited or approved college or university or an approved clinical training facility. However, these activities and services must constitute a part of his supervised course of study, and ~~no~~ a fee ~~shall~~ may not accrue directly or indirectly to the student. These persons ~~shall~~ must be designated by the title "speech speech-language pathology (or audiology) intern", "speech speech-language pathology (or audiology) trainee", or a title clearly indicating the training status appropriate to his level of training.

(5) Nothing in this chapter ~~shall restrict~~ restricts a person from another state from offering ~~speech~~ speech-language pathology or audiology services in this state if ~~such~~ these services are performed for no more than 5 days in any calendar year and if the services are performed in cooperation with a ~~speech~~ speech-language pathologist or audiologist licensed under this chapter. However, by securing a temporary license from the board subject to ~~such~~ limitations as the board may impose, a person not a resident of this state who is not licensed under this chapter but who is licensed under the law of another state ~~which~~ that has established licensure requirements at least equivalent to those established by this chapter or who is the holder of the ASHA certificate of clinical competency in ~~speech~~ speech-language pathology or audiology or its equivalent may offer ~~speech~~ speech-language pathology or audiology services in this state for no more than 30 days in any calendar year if ~~such~~ the services are performed in cooperation with a ~~speech~~ speech-language pathologist or audiologist licensed under this chapter.

(6) Nothing in this chapter ~~shall restrict~~ restricts any person holding a class A certificate issued by the conference of executives of American schools of the deaf from performing the functions for which he qualifies.

(7) Nothing in this chapter ~~shall restrict~~ restricts any person who holds a certificate of registration in this state as a hearing aid dealer from performing those functions for which he qualifies and ~~which~~ that are described in Title 37, chapter 16.

(8) Nothing in this chapter exempts an audiologist who sells, dispenses, or fits hearing aids from the licensing requirements or other provisions of Title 37, chapter 16."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MOTIONS

Representative Glaser moved his vote and that of Representative Boharski on HB 262, third reading, be recorded as yes. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 300: Addy, Kadas, McDonough, O'Connell, Nisbet, Brooke, Pavlovich, Wyatt, Connelly, Menahan, Driscoll, Cody, Peck, O'Keefe, Raney, L. Nelson, Quilici, Kimberley, Harper, Stickney, Strizich, Spaeth, Squires, Russell, Davis, Gervais, Cocchiarella, Darko, Moore, Schye, Daily, McCormick, Harrington, DeMars, Kilpatrick, Whalen, Johnson, D. Brown, Stepler, Blotkamp, Stang, Ream, Bachini, Hansen, and Elliott.

The following sponsors were added to HB 486: Rasmussen, Hager, and Yellowtail.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Thursday, February 2, 1989.

Motion carried.

House adjourned at 1:50 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 2, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Mercer. Pledge of Allegiance to the Flag.

Roll call. All members present except Boharski, J. Brown, Kadas, O'Connell, and Raney, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-third, twenty-fourth, and twenty-fifth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/2/89

Correctly printed: HB 26, HB 114, HB 148, HB 207, HB 210, HB 267, HB 299, HB 307, HB 318, HB 319, HB 321, HB 340, HB 348, HB 366, HB 370, HB 371, HB 375, HB 385, HB 396, HB 405, HB 408, HB 411, HB 434, HJR 8.

Correctly engrossed: HB 69, HB 154, HB 155, HB 201, HB 237.

Correctly enrolled: HB 18. 2/1/89

Examined by the sponsor and found to be correct:

HB 18 - Swysgood

Signed by the Speaker at 3:30 p.m., 2/1/89: HB 18.

Delivered to the Governor for his approval at 10:30 a.m., 2/2/89: HB 18.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):

2/2/89

HB 276, introduced bill, be amended as follows:

1. Title, line 13.

Following: "LIVESTOCK;"

Insert: "DELETING GROSS VEHICLE WEIGHT OFFICERS AS INSPECTORS OF CERTAIN PERMITS;"

2. Title, line 17.

Strike: "AND"

3. Title, line 18.

Following: "81-4-610"

Insert: "AND 81-8-801 THROUGH 81-8-805"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 13, lines 2 and 3.

Strike: "gross vehicle weight enforcement officer"

5. Page 15, line 16.

Strike: "December 31"

Insert: "November 30"

6. Page 21, lines 17 and 18.

Strike: "gross vehicle weight enforcement officer"

7. Page 30, line 14.

Following: "81-4-610"

Insert: "and 81-8-801 through 81-8-805"

8. Page 30.

Following: line 18

Insert: "NEW SECTION. Section 23. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/1/89

HB 326, introduced bill, be amended as follows:

1. Title, line 6.

Following: "PATROLMEN;"

Insert: "DEFINING "PARALEGALS" AND "LEGAL ASSISTANTS";"

2. Title, line 7.

Strike: "SECTION"

Insert: "SECTIONS 37-60-101,"

Following: "37-60-105,"

Insert: "AND 37-60-307,"

3. Page 1, line 10.

Following: line 9

Insert: "Section 1. Section 37-60-101, MCA, is amended to read:

"37-60-101. Definitions. As used in this chapter, the following definitions apply:

(1) "Alarm response runner" means any individual employed by a contract security company or a proprietary security organization to respond to security alarm system signals.

(2) "Armed carrier service" means any person who transports or offers to transport under armed private security guard from one place to another any currency, documents, papers, maps, stocks, bonds, checks, or other items of value that require expeditious delivery.

(3) "Armed private investigator" means a private investigator who at any time wears, carries, possesses, or has access to a firearm in the performance of his duties.

(4) "Armed private security guard" means an individual employed by a contract security company or a proprietary security organization whose duty or any portion of whose duty is that of a security guard, armored car service guard, carrier service guard, or alarm response runner and who at any time wears or carries a firearm in the performance of his duties.

(5) "Armored car service" means any person who transports or offers to transport under armed private security guard from one place to another any currency, jewels, stocks, bonds, paintings, or other valuables of any kind in a specially equipped motor vehicle that offers a high degree of security.

(6) "Board" means the board of private security patrolmen and investigators provided for in 2-15-1891.

(7) "Branch office" means any office of a licensee within the state, other than its principal place of business within the state.

(8) "Contract security company" means any person who installs or maintains a security alarm system, undertakes to provide a private security guard, alarm response runner, armored car service, street patrol service, or armed carrier service on a contractual basis to another person who exercises no direction and control over the performance of the details of the services rendered.

(9) "Department" means the department of commerce provided for in 2-15-1801.

(10) "Insurance adjuster" means a person employed by an insurance company, other than a private investigator, who for any consideration whatsoever conducts investigations in the course of adjusting or otherwise participating in the disposal of any claims in connection with a policy of insurance but who does not perform surveillance activities or investigate crimes or wrongs committed or threatened against the United States or any state or territory thereof.

(11) "Licensee" means a person licensed under this chapter.

(12) "Paralegal" or "legal assistant" means a person qualified through education, training, or work experience to perform substantive legal work that requires knowledge of legal concepts and that is customarily but not exclusively performed by a lawyer and who may be retained or employed by a lawyer, law office, governmental agency, or other entity or who may be authorized by administrative, statutory, or court authority to perform this work.

~~(12)~~(13) "Person" includes any individual, firm, company, association, organization, partnership, and corporation.

~~(13)~~(14) "Private investigator" means a person other than an insurance adjuster who for any consideration whatsoever makes or agrees to make any investigation with reference to:

(a) crimes or wrongs done or threatened against the United States or any state or territory thereof;

(b) the identity, habits, conduct, business, occupation, honesty, integrity, trustworthiness, efficiency, loyalty, activity, movement, whereabouts, affiliations, associations, transactions, reputation, or character of any person;

(c) the location, disposition, or recovery of lost or stolen property;

(d) the cause or responsibility for fires, libels, losses, accidents, or injury to persons or property; or

(e) securing evidence to be used before any court, board, officer, or investigating committee.

~~(14)~~(15) "Private security guard" means an individual employed or assigned duties to protect a person or property or both a person and property from criminal acts and whose duties or any portion of whose duties include but are not limited to the prevention of unlawful entry, theft, criminal mischief, arson, or trespass on private property, or the direction of the movements of the public in public areas.

~~(15)~~(16) "Proprietary security organization" means any person who employs a private security guard, an alarm response runner, armored car service, street patrol service, or armed carrier service on a routine basis solely for the purposes of that person and exerts direction

and control over the performance of the details of the service rendered.

~~(16)~~(17) "Qualifying agent" means, in the case of a corporation, a corporate employee employed in a management capacity or, in the case of a partnership, a general or unlimited partner meeting the qualifications set forth in this chapter for the operation of a contract security company, proprietary security organization, or private investigator, whichever is applicable.

~~(17)~~(18) "Resident agent" means the person appointed to exercise direct supervision, control, charge, management, or operation of each branch office located in this state where the business of the licensee is conducted.

~~(18)~~(19) "Security alarm system" means an assembly of equipment and devices or a single device such as a solid state unit which plugs directly into a 110-volt AC line, designed to detect or signal or to both detect and signal unauthorized intrusion, movement, or criminal acts at a protected premises, to which signals police, private security guards, or alarm response runners are expected to respond. Fire alarm systems and alarm systems that monitor temperature, humidity, or any other atmospheric condition not directly related to the detection of an unauthorized intrusion or criminal act at a premises are not included within the meaning of this definition.

~~(19)~~(20) "Street patrol service" means any contract security company or proprietary security organization that uses foot patrols, motor vehicles, or any other means of transportation to maintain public order or detect criminal activities in public areas or thoroughfares.

~~(20)~~(21) "Unarmed private investigator" means a private investigator who does not wear, carry, possess, or have access to a firearm in the performance of his duties.

~~(21)~~(22) "Unarmed private security guard" means an individual employed by a contract security company or a proprietary security organization whose duty or any portion of whose duty is that of a private security guard, armored car service guard, or alarm response runner, who does not wear or carry a firearm in the performance of those duties."

Renumber: subsequent sections

4. Page 3, line 9.

Following: line 8

Insert: "Section 3. Section 37-60-307, MCA, is amended to read:

"37-60-307. Action on application. (1) The board shall grant the application for an original or renewal license or identification card unless it finds that the applicant, branch office manager, or qualifying agent has:

(a) not met the qualifications of 37-60-303;

(b) practiced fraud, deceit, or misrepresentation in the application process;

(c) knowingly made a material misstatement in the application for a license;

(d) violated any of the provisions of this chapter or the rules of the board; or

(e) taken any action warranting suspension or revocation under 37-60-321.

(2) If an original or renewal license or identification card is denied, the applicant may request a hearing within 30 days after receipt of notice of denial. The hearing ~~shall~~ must be held in accordance with the provisions of the Montana Administrative Procedure Act and the rules of the department of commerce.

(3) Licenses or identification cards ~~shall~~ must be granted by name for those categories of persons listed in 37-60-101(1), (2), (3), (4), (5), (8), ~~(13)~~, (14), (15), (16), (17), (18), ~~(19)~~, (20), ~~or~~ (21), or (22), or any combination of the foregoing.”

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 343, introduced bill, be amended as follows:

1. Page 6, line 7.

Strike: “(1)”

2. Page 6, line 8.

Strike: “\$30”

Insert: “\$50”

3. Page 6, line 9.

Strike: “85%”

Insert: “90%”

4. Page 6, line 15.

Following: “50-50-102”

Strike: “a”

Insert: “in addition to the”

Following: “\$50”

Strike: “plus”

Insert: “provided in subsection (1)”

5. Page 6, line 13.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

2/1/89

HB 206, introduced bill, be amended as follows:

1. Title, line 7.

Strike: “RELATED TO THE INABILITY TO SHOW PROOF”

2. Title, line 8.

Strike: “OF”

Insert: “FOR A VIOLATION OF THE MOTOR VEHICLE”

Following: “FINANCIAL RESPONSIBILITY”

Insert: “LAWS”

3. Page 1, line 19.

Strike: “guilty of”

Insert: “charged with”

And, as amended, do pass. Report adopted.

HB 231, introduced bill, be amended as follows:

1. Title, lines 6 through 9.

Strike: "ALLOWING" on line 6 through "COURSE;" on line 9

2. Title, lines 10 and 11.

Strike: lines 10 and 11 in their entirety

3. Title, line 14.

Strike: "SECTIONS"

4. Title, line 15.

Strike: "3-10-601,"

Insert: "SECTION"

Strike: "61-5-110" through "AND"

5. Title, line 16.

Strike: "61-5-307,"

6. Page 2, line 23.

Strike: "aim"

Insert: "aiming"

7. Page 4, lines 8 and 9.

Strike: ", not to" on line 8 through "student," on line 9

8. Page 4, line 13.

Strike: "educators"

Insert: "qualified persons"

9. Page 5, line 2.

Strike: "\$5"

Insert: "\$2.50"

10. Page 5, line 3.

Following: "motorcycle"

Insert: "required by 61-3-301 to be"

11. Page 5, line 22.

Strike: "3-10-601(4)(e) and"

12. Page 6, line 3 through page 7, line 14.

Strike: section 7 in its entirety

Renumber: subsequent section

13. Page 9, line 9 through page 17, line 15.

Strike: sections 9 through 12 in their entirety

Renumber: subsequent sections

14. Page 17, line 21.

Strike: "12, 13,"

15. Page 17, line 23.

Strike: "Sections"

Insert: "Section"

Strike: "and 9 through 11] are"

Insert: "]" is"

16. Page 17, line 24.

Strike: "1991"

Insert: "1990"

And, as amended, do pass. Report adopted.

HB 248, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/1/89

HB 461, do pass. Report adopted.

ADVERSE COMMITTEE REPORTS

HB 156 - Representative Russell moved the 2/1/89 adverse committee report on HB 156 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Eudaily, Gervais, Good, Gould, Grinde, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ramirez, Ream, Rehberg, Rice, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Campbell, Clark, Cobb, DeBruycker, Giacometto, Gilbert, Glaser, Grady, Guthrie, Hannah, Hanson, Hayne, Kasten, Marks, R. Nelson, T. Nelson, Owens, Patterson, Roth, Simon, Simpkins, Smith, Spring, Swysgood, Thoft.

Total 25

Excused: Boharski, J. Brown, Kadas, O'Connell, Raney.

Total 5

Absent or not voting: DeMars, Ellison, Peterson, Phillips.

Total 4

HB 379 - Representative Ream moved the 2/1/89 adverse committee report on HB 379 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bardanouve, Cohen, Elliott, Johnson, Ream, Stang.

Total 6

Excused: Boharski, J. Brown, Kadas, O'Connell, Raney.

Total 5

Absent or not voting: Ellison, Peterson, Phillips.

Total 3

Representative J. Brown present at this time.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/1/89

SB 56, introduced by Jenkins
SB 67, introduced by Norman
SB 81, introduced by Pinsonneault
SB 99, introduced by Aklestad
SB 161, introduced by Harp
SB 165, introduced by B. Brown
SB 184, introduced by Severson

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

January 31, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 16 on January 31, 1989.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 500**, introduced by Vincent, Crippen, Spaeth, B. Brown, Addy, Rehberg, McDonough, Ramirez, Hansen, Eudaily, Eck, Regan, Brooke, Spring, T. Nelson, R. Nelson, Kimberley, Driscoll, Gould, Cocchiarella, Bradley, Simon, Whalen, Bishop, Van Valkenburg, Boylan, Ream, referred to Committee on Appropriations
- HB 512**, introduced by Rice, Boharski, Stickney, J. Brown, Peck, Harper, Marks, L. Nelson, Spaeth, referred to Committee on Judiciary
- HB 513**, introduced by Rice, Simpkins, Lee, DeBruycker, Patterson, Phillips, Hanson, Simon, Giacometto, Rasmussen, Blotkamp, McDonough, Mazurek, Whalen, Kimberley, Kilpatrick, Jenkins, referred to Committee on State Administration
- HB 514**, introduced by Hansen, Cocchiarella, Harrington, J. Brown, Darko, Knapp, Ream, T. Nelson, Vaughn, Eck, Harp, Halligan, Bishop, Strizich, O'Connell, referred to Committee on Education and Cultural Resources
- HB 515**, introduced by Rehberg, referred to Committee on Natural Resources
- HB 516**, introduced by Hanson, Jenkins, Peterson, Patterson, referred to Committee on Agriculture, Livestock and Irrigation
- HB 517**, introduced by Peck, Swysgood, referred to Committee on Education and Cultural Resources
- HB 518**, introduced by Stickney, Devlin, Johnson, Cody, Connelly, Cohen, Spaeth, Hanson, Smith, Owens, Darko, Nathe, Russell, Peck, Kasten, Schye, R. Nelson, Zook, referred to Committee on Education and Cultural Resources
- HB 519**, introduced by Brooke, Connelly, Johnson, referred to Committee on Education and Cultural Resources
- HB 520**, introduced by Daily, Pavlovich, referred to Committee on Fish and Game

- HB 521**, introduced by Good, Hannah, Cody, referred to Committee on Business and Economic Development
- HB 522**, introduced by Ramirez, Pavlovich, referred to Committee on Appropriations
- HB 523**, introduced by Nisbet, O'Connell, Vincent, referred to Committee on Highways and Transportation
- HB 524**, introduced by Hansen, Moore, Brooke, Spaeth, Strizich, referred to Committee on Human Services and Aging
- HB 525**, introduced by Swysgood, Hoffman, Anderson, Campbell, Grady, Patterson, Thoft, Kasten, Daily, Pavlovich, Gilbert, O'Keefe, Koehnke, Peck, Hanson, Harrington, Quilici, Marks, referred to Committee on Taxation
- HB 526**, introduced by Iverson, Thoft, Marks, Rehberg, Quilici, Peck, Hannah, Gage, Spaeth, Harp, Pavlovich, Giacometto, Jergeson, (by request of the Department of Natural Resources), referred to Committee on Appropriations
- HB 527**, introduced by Zook, Hammond, Eudaily, Hanson, Phillips, Simpkins, Spring, R. Nelson, Glaser, Giacometto, referred to Committee on Education and Cultural Resources
- HB 528**, introduced by Boharski, referred to Committee on Judiciary
- HB 529**, introduced by Boharski, referred to Committee on Labor and Employment Relations
- HB 530**, introduced by McDonough, Addy, Whalen, Kimberley, Regan, Kilpatrick, Driscoll, Blaylock, Bengtson, referred to Committee on Appropriations
- HB 531**, introduced by Clark, Giacometto, Keating, Thomas, Patterson, Zook, Hoffman, O'Connell, Bishop, Brooke, referred to Committee on State Administration
- HB 532**, introduced by Gould, Hager, Williams, Rice, Nisbet, Spaeth, Hansen, Hannah, Harp, Crippen, Smith, Jenkins, referred to Committee on Labor and Employment Relations
- HB 533**, introduced by Davis, Walker, Stimatz, McCormick, Regan, Quilici, Story, Jenkins, Manning, Wallin, Driscoll, Harrington, Grady, Peterson, Compton, O'Connell, Mazurek, Harper, Vincent (by request of the Department of Administration), referred to Committee on State Administration
- HB 534**, introduced by Swysgood, referred to Committee on Judiciary
- HB 535**, introduced by J. Brown, Connelly, Cohen, referred to Committee on Appropriations
- HB 536**, introduced by J. Brown, T. Nelson, Thomas, Whalen, Boylan, Lynch, Addy, referred to Committee on Business and Economic Development
- HB 537**, introduced by Harper (by request of the Department of Health and Environmental Sciences), referred to Committee on Natural Resources
- HB 538**, introduced by Harper (by request of the Department of Health and Environmental Sciences), referred to Committee on Natural Resources
- HB 539**, introduced by Moore, Russell, Brooke, Cobb, Darko, Cody, J. Brown, Koehnke, Vincent, Grady, Wyatt, Davis, O'Keefe, Cocchiarella, Kadas, Eudaily, Eck, Bradley, Gervais, Smith, McDonough, Pipinich, Jergeson, Ream, Compton, referred to Committee on Business and Economic Development
- HB 540**, introduced by Raney, referred to Committee on Natural Resources

HB 541, introduced by Gould (by request of the Department of Social and Rehabilitation Services), referred to Committee on Human Services and Aging

HB 542, introduced by Guthrie, Aklestad, referred to Committee on Natural Resources

HB 543, introduced by Connelly, Harp, referred to Committee on State Administration

HB 544, introduced by Rice, referred to Committee on Judiciary

HB 545, introduced by Schye, Raney, Nisbet, Cody, Cohen, Westlake, L. Nelson, D. Brown, Strizich, Gervais, Kimberley, Addy, Harper, Stickney, Kilpatrick, Whalen, Johnson, DeMars, Russell, Daily, Pavlovich, Lee, Simpkins, O'Keefe, Bradley, Driscoll, Patterson, Peck, Menahan, Halligan, Devlin, Nathe, Zook, Farrell, Jenkins, Jergeson, Connelly, referred to Committee on Taxation

HB 546, introduced by Johnson, Devlin, Stickney, Zook, Pavlovich, Connelly, Spaeth, Jergeson, Hammond, Abrams, Jenkins, Nathe, Harper, Schye, Hannah, Yellowtail, Addy, Keating, Giacometto, Kasten, Weeding, B. Brown, T. Nelson, Steppler, Gilbert, Cody, Kilpatrick, Bachini, Menahan, L. Nelson, referred to Committee on Appropriations

HB 547, introduced by Johnson, Devlin, Stickney, Zook, Pavlovich, Connelly, Spaeth, Hammond, Jergeson, Abrams, Jenkins, Nathe, Harper, Hannah, Schye, Yellowtail, Keating, Addy, Giacometto, Kasten, Weeding, B. Brown, T. Nelson, Steppler, Gilbert, Cody, Kilpatrick, Bachini, Menahan, L. Nelson, referred to Committee on Appropriations

HJR 17, introduced by Schye, Hammond, Johnson, Stang, Stickney, Giacometto, Nathe, Bachini, Kasten, Peck, Hanson, Hoffman, Swysgood, Knapp, Tveit, Gilbert, Grinde, Williams, Zook, Clark, Weeding, Steppler, Anderson, Jergeson, Abrams, Devlin (by request of the House Committee on Highways), referred to Committee on Highways and Transportation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Kadas present at this time.

HB 133 - Representative Hayne moved HB 133 do pass.

Representative Kadas made a substitute motion HB 133 be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

Representative Raney present at this time.

HB 168 - Representative Lee moved HB 168 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, Elliott, Eudaily, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough,

Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Bardanouve, Blotkamp, Bradley, Brooke, Cohen, Darko, DeMars, Gervais, Glaser, Grady, Hansen, Harper, Kadas, Koehnke, Nisbet, O'Keefe, Raney, Ream, Russell, Swysgood, Thoft, Westlake, Whalen.

Total 23

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Campbell, Driscoll, Ellison.

Total 3

HB 179 - Representative Lee moved HB 179 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Campbell, Cody, Daily, Glaser, Guthrie, Owens, Pavlovich, Smith, Swysgood, Whalen.

Total 10

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Driscoll, Ellison, Kadas.

Total 3

HB 265 - Representative Strizich moved HB 265 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Ellison.

Total 1

HB 273 - Representative L. Nelson moved HB 273 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell, Grinde, Phillips, Roth, Simon, Swysgood.

Total 6

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Ellison.

Total 1

HB 286 - Representative Lee moved HB 286 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Mr. Speaker.

Total 90

Noes: Clark, Cohen, Kimberley, Swysgood, Whalen, Zook.

Total 6

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Ellison, Marks.

Total 2

HB 305 - Representative Russell moved HB 305 be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 312 - Representative Connelly moved HB 312 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Ellison.

Total 1

HB 352 - Representative Elliott moved HB 352, second reading copy, be amended as follows:

1. Title, line 6.

Following: "AND"

Strike: "NEGLECT OF DUTY AS A"

2. Page 2, line 2.

Following: "(e)"

Strike: "neglect of duty or malfeasance in office"

Insert: "unexcused absence from three consecutive regular meetings of the board of supervisors"

3. Page 2, line 8.

Following: line 7

Insert: "(3) For the purpose of subsection 2(e), a majority vote of the board of supervisors may excuse a supervisor from attending a meeting."

Renumber: subsequent subsection

4. Page 2, line 13.

Strike: "(1)"

5. Page 2, line 14.

Following: "board"

Insert: "and a vacancy created under 76-15-312 (2)(d)"

6. Page 2, lines 17 through 20.

Strike: subsection 2 in its entirety

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.

Total 0

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Cocchiarella, Ellison.

Total 2

Representative Elliott moved HB 352, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.

Total 0

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Ellison.

Total 1

HB 360 - Representative Bachini moved HB 360, second reading copy, be amended as follows:

1. Page 1.

Following: line 15

Insert:

"STATEMENT OF INTENT

A statement of intent is required because this bill grants to the Montana mint committee the authority to adopt rules to implement the provisions of the bill. At a minimum, it is intended that the rules address:

- (1) general rules and orders for the exercise of power and performance of duties of the mint committee in accordance with the Montana administrative procedure act;
- (2) implementation of the integrated pest management program established in [section 7];
- (3) the form of sworn statements and invoices required of purchasers of mint oil;
- (4) the manner of collection of assessments on mint oil produced in Montana;
- (5) recordkeeping and licensure required of mint oil purchasers; and
- (6) any other topics necessary for the proper implementation of this bill."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Driscoll, Whalen.

Total 2

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Ellison, Ramirez.

Total 2

Representative Connelly moved HB 360, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Clark, Cobb, Giacometto, Good, Grinde, Hannah, Phillips, Roth, Simon, Simpkins, Thoft, Wallin.

Total 13

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Ellison.

Total 1

HB 362 - Representative D. Brown moved HB 362 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Elliott, Peck, Stang.

Total 4

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Ellison, Ramirez.

Total 2

HB 397 - Representative Eudaily moved HB 397 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, Elliott, Eudaily, Gervais, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Bachini, Campbell, Clark, Daily, DeBruycker, DeMars, Driscoll, Giacometto, Glaser, Good, Grinde, Guthrie, Harper, Harrington, Hoffman, Koehnke, Lee, Pavlovich, Quilici, Stang, Swysgood, Thoft, Whalen.

Total 23

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Cobb, Ellison, Owens.

Total 3

HB 454 - Representative Connelly moved HB 454 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily,

Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 85

Noes: D. Brown, Campbell, Driscoll, Gervais, Hannah, Harrington, Menahan, Pavlovich, Quilici, Stang, Strizich, Wyatt.

Total 12

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Ellison.

Total 1

HB 19 - Representative Swysgood moved Senate amendments to HB 19 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Campbell, Cohen, DeBruycker, Gervais, Hannah, Owens, Peterson, Stang, Strizich, Zook.

Total 10

Excused: Boharski, O'Connell.

Total 2

Absent or not voting: Ellison.

Total 1

Representative Simon assumed the Chair at this time.

Representative Raney excused at this time.

HB 133 - Representative Kadas moved HB 133, second reading copy, be amended. Amendment failed. (48-51)

Representative Gilbert resumed the Chair at this time.

Representative Hayne moved HB 133 do pass. Motion carried as follows:

Ayes: Aafedt, Boharski, D. Brown, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson,

Johnson, Kasten, Keller, Knapp, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 53

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 46

Paired: Boharski, Ellison, Giacometto, Ayes; Bardanouve, Kadas, Raney, Noes.

Excused: O'Connell.

Total 1

Absent or not voting: None.

Total 0

HB 305 - Representative Mercer moved HB 305, second reading copy, be amended as follows:

1. Page 2, line 2.

Following: “(e)”

Strike: “if the child is an Indian”

Insert: “where an Indian child or children are involved”

2. Page 2, line 21.

Following: (f)

Strike: “IF THE CHILD IS AN INDIAN”

Insert: “where an Indian child or children are involved”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Hannah.

Total 1

Excused: Boharski, O'Connell, Raney.

Total 3

Absent or not voting: Ellison.

Total 1

Representative Russell moved HB 305, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Guthrie.

Total 1

Excused: Boharski, O'Connell, Raney.

Total 3

Absent or not voting: Ellison, Hannah.

Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (75-21)

REPORTS OF STANDING COMMITTEES

JUDICIARY (D. Brown, Chairman):

2/2/89

HB 292, do pass. Report adopted.

MOTIONS

Representative Darko moved HB 340 be taken from printing and rereferred to the Committee on Local Government. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 501: Devlin, McLane, Zook, Driscoll, and Hofman.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:30 p.m., Friday, February 3, 1989.

Motion carried.

House adjourned at 3:00 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

TWENTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 3, 1989

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Westlake. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/3/89

Correctly printed: HB 206, HB 231, HB 248, HB 276, HB 292, HB 326, HB 343, HB 461.

Correctly engrossed: HB 168, HB 179, HB 273, HB 286, HB 305, HB 312, HB 352, HB 360, HB 362, HB 397, HB 454.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 2/2/89

HB 119, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "\$50"

Insert: "\$25"

2. Page 1, line 16.

Strike: "\$50"

Insert: "\$25"

And, as amended, do pass. Report adopted.

HB 196, introduced bill, be amended as follows:

1. Title, line 7.

Following: "TRAILS"

Insert: "AND REVISING THOSE REQUIREMENTS"

2. Page 1, lines 14 and 15.

Following: "city"

Strike: the remainder of line 14 and line 15 through "of"

Insert: "with"

3. Page 1, line 16.

Following: "fund"

Strike: ", reasonable amounts"

4. Page 1, line 17.

Following: "~~necessary~~"

Strike: the remainder of line 17

Insert: "may construct"

5. Page 1, line 23.

Strike: "must"

Insert: "may"

6. Page 1, line 25.

Strike: "maintain"

Insert: "construct"

7. Page 2, line 4.

Strike: "must"

Insert: "may"

8. Page 2, lines 6 and 7.

Following: "system" on line 6

Strike: the remainder of line 6 through "system" on line 7

9. Page 2, line 8.

Following: "trails"

Strike: "are"

Insert: "may"

Following: "not"

Strike: "required to"

10. Page 2, line 16.

Following: "(3) The"

Strike: "amount expended by the"

11. Page 2, lines 17 and 18.

Following: "commission" on line 17

Strike: the remainder of line 17 through "section" on line 18

12. Page 2, line 18.

Following: "~~year~~"

Insert: "shall let to contract"

13. Page 2, line 19.

Following: "years"

Strike: "may"

Following: "not"

Strike: "be"

14. Page 2, line 20 through 24.

Strike: lines 20 through 23 in their entirety and through "years" on line 24

Insert: "an average of \$200,000 per year for footpaths and bicycle trails"

And, as amended, do pass. Report adopted.

HB 212, do pass. Report adopted.

HB 223, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "IMMEDIATE"

2. Page 3, line 3.

Strike: "on passage and approval"

Insert: "January 1, 1990"

And, as amended, do pass. Report adopted.

HB 297, introduced bill, be amended as follows:

1. Page 4, lines 23 and 24.

Following: "to the" on line 23

Strike: the remainder of line 23 through "number" on line 24

Insert: "windshield of the collector's item motor vehicle or, if no windshield exists, to another prominent and visible position on the vehicle"

And, as amended, do pass. Report adopted.

HB 331, do pass. Report adopted.

HB 334, do pass. Report adopted.

HJR 14, do pass. Report adopted.

TAXATION (Harrington, Chairman):

2/3/89

HB 35, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "GENERALLY"
2. Title, line 5.
Following: "CLARIFYING"
Insert: "CERTAIN"
3. Title, lines 9 and 10.
Following: "STORAGE;" on line 9
Strike: "CLARIFYING PROVISIONS RELATING TO PER
CAPITA TAX ON LIVESTOCK; CLARIFYING SWINE VALUA-
TION PROCEDURES;"
4. Title, lines 12 through 14.
Following: "TON;" on line 12
Strike: the remainder of lines 12 through 14
5. Title, line 16.
Following: "15-24-902"
Strike: "THROUGH"
Insert: ", 15-24-903, AND"
6. Title, line 17.
Strike: line 17 in its entirety
7. Title, line 18.
Following: "SECTIONS"
Strike: "15-8-401 THROUGH 15-8-407,"
8. Title, line 19.
Strike: "15-24-926,"
9. Page 5, line 2.
Following: "exceed"
Strike: "16,000"
Insert: "18,000"
10. Page 5, line 4.
Following: "mining"
Strike: ", "
Insert: "or"
Following: "quarrying"
Strike: ", or earthmoving"
11. Page 5, line 14.
Strike: "nonperishable,"
12. Page 5, lines 15 and 16.
Following: "livestock" on line 15
Strike: the remainder of line 15 through "harvest" on line 16
13. Page 5, line 20.
Following: "~~March~~"
Strike: "January"
Insert: "March"
14. Page 6, line 12.
Following: "~~and~~"

Insert: “, other than livestock,”

15. Page 7, lines 5 and 6.

Following: “~~grain~~,” on line 5

Strike: the remainder of line 5 through “ton” on line 6

16. Page 7, line 25.

Following: “on”

Strike: “January”

Insert: “March”

17. Page 8, line 3.

Following: “of”

Strike: “January”

Insert: “March”

18. Page 8, line 10.

Following: “on”

Strike: “January”

Insert: “March”

19. Page 8, line 20 through page 9, line 3.

Strike: section 10 in its entirety

Renumber: subsequent sections

20. Page 9, line 10.

Following: “state after”

Strike: “January”

Insert: “March”

21. Page 10, line 3 through page 16, line 17.

Strike: sections 12 through 17 in their entirety

Renumber: subsequent sections

22. Page 16, lines 18 and 19.

Following: “Sections” on line 18

Strike: “15-8-401 through 15-8-407,”

23. Page 16, line 19.

Strike: “, 15-24-926,”

24. Page 16, lines 21 through 24.

Strike: section 19 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

2/2/89

HB 29, introduced by Harrington

Senate bills passed and transmitted to the House for concurrence:

2/2/89

SB 95, introduced by Rasmussen

SB 100, introduced by Aklestad

SB 115, introduced by Lynch

SB 134, introduced by Manning

SB 151, introduced by Jacobson

SB 154, introduced by Nathe

SB 156, introduced by Halligan

SB 159, introduced by Blaylock

- SB 160**, introduced by Blaylock
- SB 199**, introduced by Walker
- SB 206**, introduced by Devlin
- SB 210**, introduced by Devlin

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

- HB 548**, introduced by Hoffman, Anderson, Swift, Ellison, Grady, Swysgood, Giacometto, Mercer, Guthrie, Thoft, Spaeth, Patterson, Westlake, referred to Committee on Judiciary
- HB 549**, introduced by J. Brown, referred to Committee on Local Government
- HB 550**, introduced by Vincent, Harp, Yellowtail, Halligan, Peterson, Patterson, Bishop, Noble, Williams, referred to Committee on Business and Economic Development
- HB 551**, introduced by Harrington, Menahan, Ream, J. Brown, Driscoll, referred to Committee on Fish and Game
- HB 552**, introduced by T. Nelson, Harper, referred to Committee on Natural Resources
- HB 553**, introduced by Grady, Moore, O'Keefe, Davis, Harper, J. Brown, Pinsoneault, referred to Committee on Business and Economic Development
- HB 554**, introduced by Addy (by request of the Department of Military Affairs), referred to Committee on Appropriations
- HB 555**, introduced by Bardanouve, Jergeson, referred to Committee on Appropriations
- HB 556**, introduced by Cocchiarella, Clark, Connelly, Whalen, Manning, Gervais, McDonough, referred to Committee on Business and Economic Development
- HB 557**, introduced by Bachini, Lynch, Peck, Strizich, Menahan, Connelly, Pavlovich, Raney, Regan, Thomas, Jergeson, J. Brown, Stimatz, Addy, Driscoll, Ramirez, Daily, Grady, Swysgood, B. Brown, O'Keefe, Bradley, Walker, Van Valkenburg, Halligan, Ream, Cocchiarella, McCormick, Jenkins, Spring, Good, O'Connell, Wyatt, Harrington, Squires, Schye, Vincent, Smith, Wallin, Clark, Manning, Johnson, Giacometto, Hannah, Quilici, referred to Committee on Business and Economic Development
- HB 558**, introduced by Kilpatrick, referred to Committee on Judiciary
- HB 559**, introduced by Eudaily, referred to Committee on Business and Economic Development
- HB 560**, introduced by Connelly, Manning, referred to Committee on Taxation
- HB 561**, introduced by Addy, Blaylock, Mazurek, J. Brown, Eudaily, Glaser, B. Brown, referred to Committee on Education and Cultural Resources
- HB 562**, introduced by Wyatt, McDonough, Stickney, Darko, Gould (by request of the House Local Government Committee), referred to Committee on Local Government

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Addy moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Menahan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 26 - Representative Peck moved HB 26 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 85

Noes: Bradley, D. Brown, Connelly, Daily, Glaser, Marks, Pavlovich, Raney, Ream, Spaeth, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 14

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 114 - Representative Gervais moved HB 114 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 148 - Representative Harper moved HB 148 be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 207 - Representative Gould moved HB 207 do pass.

Representative Harper made a substitute motion consideration of HB 207 be passed for the day. Motion carried.

HB 210 - Representative Swysgood moved HB 210 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bachini, Bardanouve, Hannah, Koehnke, Peck, Peterson.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 267 - Representative Kilpatrick moved HB 267 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Grinde, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, R. Nelson, T. Nelson, Owens, Peterson, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 40

Excused: None.
Total 0

Absent or not voting: Giacometto, Hannah, Phillips.
Total 3

HB 299 - Representative Addy moved HB 299, second reading copy, be amended.

Representative Addy made a substitute motion HB 299 be placed at the bottom of the second reading board. Motion carried.

HB 307 - Representative Hoffman moved HB 307 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Cody, DeBruycker, Eudaily, Glaser, Good, Grinde, Patterson, Peck, Phillips, Stang.

Total 10

Excused: None.

Total 0

Absent or not voting: Compton.

Total 1

HB 318 - Representative Simon moved HB 318 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Zook, Mr. Speaker.

Total 77

Noes: D. Brown, Campbell, Cocchiarella, Cody, Cohen, Driscoll, Giacometto, Grady, Grinde, Guthrie, Kimberley, Koehnke, L. Nelson, O'Connell, Peck, Quilici, Stang, Swysgood, Thoft, Westlake, Whalen, Wyatt.

Total 22

Excused: None.

Total 0

Absent or not voting: Gould.

Total 1

HB 319 - Representative Simon moved HB 319 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson,

Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Campbell, Cohen, Giacometto.

Total 3

Excused: None.

Total 0

Absent or not voting: Kadas, O'Connell.

Total 2

HB 321 - Representative Spaeth moved HB 321 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Campbell, Hannah.

Total 2

Excused: None.

Total 0

Absent or not voting: Cohen, Darko.

Total 2

HB 348 - Representative Marks moved HB 348 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 366 - Representative Stang moved HB 366 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 370 - Representative Cocchiarella moved HB 370 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Connelly, Daily, Darko, Davis, Driscoll, Gervais, Gilbert, Gould, Grady, Hannah, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Thomas, Whalen, Wyatt.

Total 51

Noes: Aafedt, Bardanouve, Boharski, Bradley, Cobb, Cody, Cohen, Compton, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Glaser, Good, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Simon, Simpkins, Smith, Spring, Steppler, Swift, Swysgood, Thoft, Wallin, Westlake, Zook, Mr. Speaker.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 371 - Representative Pavlovich moved HB 371 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoht, Thomas, Westlake, Whalen, Zook, Mr. Speaker.

Total 92

Noes: Boharski, Cobb, Good, Grinde, Guthrie, Peck, Wallin, Wyatt.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 375 - Representative Gould moved HB 375 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoht, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 385 - Representative Simon moved consideration of HB 385 be passed for the day. Motion carried.

HB 396 - Representative Davis moved HB 396 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll,

Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Owens.

Total 1

Excused: None.

Total 0

Absent or not voting: Brooke, Squires.

Total 2

HB 405 - Representative Schye moved HB 405 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 408 - Representative Simon moved HB 408 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye,

Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Guthrie, O'Connell, Smith.

Total 3

HB 411 - Representative J. Brown moved HB 411 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 434 - Representative Mercer moved HB 434, second reading copy, be amended as follows:

1. Page 2, line 5.

Following: "the"

Insert: "installation, maintenance, and"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellison, Hoffman, Simon, Swift.

Total 4

Representative Rice moved HB 434, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 8 - Representative D. Brown moved HJR 8 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: DeBruycker, Lee, Moore, Raney, Rice, Schye.

Total 6

Excused: None.

Total 0

Absent or not voting: Hannah, Kadas, Wallin.

Total 3

HB 148 - Representative Harper moved HB 148 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Grady, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Boharski, Campbell, Clark, Cohen, DeBruycker, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Lee, Moore, R. Nelson, Patterson, Phillips, Rice, Simpkins, Stang, Swift, Thoft.

Total 24

Excused: None.

Total 0

Absent or not voting: Marks, Owens.

Total 2

HB 299 - Representative Addy moved HB 299, second reading copy, be amended as follows:

1. Title, line 6.

Following: "EVERY"

Insert: "ELEMENTARY"

2. Page 1, line 12.

Following: "Every"

Insert: "elementary"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Eudaily, Kasten, R. Nelson, Owens.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Addy moved HB 299, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Aafedt, Campbell, Daily, DeBruycker, Eudaily, Grinde, Guthrie, Hanson, Hayne, Kasten, Marks, R. Nelson, Nisbet, O'Connell, Owens, Patterson, Phillips, Rehberg, Simpkins, Thomas.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Menahan moved the adoption of the committee report. Report adopted. (97-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 69 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Campbell, Cobb, Cohen.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 154 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Cohen, Whalen.

Total 2

Excused: None.

Total 0

Absent or not voting: Marks.

Total 1

HB 155 passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Daily, Darko, Davis, DeBruycker, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 75

Noes: Addy, Bardanouve, D. Brown, Cocchiarella, Cohen, Connelly, DeMars, Driscoll, Elliott, Hansen, Kadas, Kilpatrick, Kimberley, McDonough, Nisbet, O'Keefe, Raney, Ream, Russell, Schye, Squires, Strizich, Whalen, Wyatt.

Total 24

Excused: None.

Total 0

Absent or not voting: Moore.

Total 1

HB 201 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller,

Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Hansen.

Total 1

HB 237 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Campbell.

Total 1

Excused: None.

Total 0

Absent or not voting: Ellison.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/3/89

Correctly engrossed: HB 133, HB 265.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/3/89

HB 209, introduced bill, be amended as follows:

1. Title, lines 5 through 8.

Following: "INSTITUTION TO" on line 5

Strike: remainder of line 5 through "STATE" on line 8

Insert: "ACT AS INTERMEDIARY BETWEEN A MORTGAGE BORROWER AND THE PURCHASER OF A MORTGAGE ON THE SECONDARY MARKET IF THE BORROWER CHOOSES"

2. Page 1, line 12.

Strike: "service loan locally"

Insert: "have local lender serve as intermediary"

3. Page 1, lines 13 through 19.

Following: "shall" on line 13

Strike: remainder of line 13 through end of line 19

Insert: "act as an intermediary between the borrower under a mortgage or trust indenture and a purchaser of the mortgage or trust indenture on the secondary market, if the borrower chooses."

And, as amended, do pass. Report adopted.

HB 247, do pass. Report adopted.

HB 406, do pass. Report adopted.

2/2/89

HB 417, introduced bill, be amended as follows:

1. Page 1, line 16.

Following: "passengers."

Insert: "(2)"

2. Page 1, line 18.

Strike: "\$50"

Insert: "\$250"

Following: "proof"

Insert: ". (a)"

3. Page 1, line 20.

Strike: "(a)"

Insert: "(i)"

Renumber: subsequent subsections

4. Page 1, line 22.

Strike: "(b)"

Insert: "(ii)"

5. Page 1, line 24.

Strike: "(c)"

Insert: "(iii)"

6. Page 1, line 25.

Strike: "(d)"

Insert: "(iv)"

Following: "coverage"

Insert: "; and

(b) that the registered owner of the tour boat is:

(i) a resort all-beverages licensee;

(ii) an individual named on a resort all-beverages license; or

(iii) a stockholder owning 10% or more of any class of stock in a corporate resort all-beverages license"

Renumber: subsequent subsections

7. Page 2, line 3.

Strike: ", and"

Insert: "within 30 miles of the resort boundary or is in preparation for scheduled departure. Except as provided in this subsection,"

And, as amended, do pass. Report adopted.

HB 448, do pass. Report adopted.

2/3/89

HB 466, do pass. Report adopted.

2/2/89

JUDICIARY (D. Brown, Chairman):

2/3/89

HB 204, introduced bill, be amended as follows:

1. Page 3, line 6.

Strike: "and"

2. Page 3, line 8.

Strike: " , "

Insert: " , and "

3. Page 3, line 9.

Following: line 8

Insert: "(iii) is only for one-half of the amount of medical assistance paid if the department or county did not participate pro rata in the costs and expenses of the action."

4. Page 3, line 15 through page 4, line 5.

Strike: subsections (c) and (d) in their entirety

Renumber: subsequent subsection

5. Page 5, line 18.

Strike: "and"Insert: "or"Strike: "are"

6. Page 5, line 19.

Strike: "jointly and severally"

Insert: " , who has received actual notice that the department or county has paid medical assistance, is "

And, as amended, do pass. Report adopted.

HB 368, do pass. Report adopted.**HB 409**, do pass. Report adopted.**HB 413**, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 2/3/89

HB 347, introduced bill, be amended as follows:

1. Title, line 12.

Following: "IS"

Strike: "NOT"

2. Title, page 2, line 1.

Following: "39-71-2304,"

Strike: "39-71-2901, 39-71-2903,"

3. Page 6, line 14.

Following: "injury"

Insert: "pursuant to rules adopted by the division"

4. Page 7, line 24.

Following: "benefits"

Insert: "or reduction to partial benefits"

5. Page 8, line 6.

Following: "division."

Insert: "For injuries occurring prior to July 1, 1987, an insurer must give 14 days' written notice to the claimant before reducing benefits from total to partial."

6. Page 8, lines 11 and 12.

Following: "first"

Insert: "48 hours or"
Following: "~~wages~~"
Strike: "consecutive days"
Insert: "days' loss of wages, whichever is less, that"

7. Page 21, line 9.
Following: "actual"
Strike: "earnings"
Insert: "wages"

8. Page 21, line 12.
Following: "actual"
Strike: "earnings"
Insert: "wages"

9. Page 21, line 14.
Following: "partner"
Insert: "who elected not to be covered"

10. Page 21, line 17.
Following: "actual"
Strike: "earnings"
Insert: "wages"

11. Page 21, line 19.
Following: "partner"
Insert: "who elected not to be covered"

12. Page 22, line 25.
Following: "is"
Strike: "entitled to"
Insert: "claiming"

13. Page 24, line 2 through page 25, line 17.
Strike: sections 15 and 16 in their entirety
Renumber: subsequent sections

14. Page 25, line 23.
Following: "[Sections 13"
Strike: "and 15 through"
Insert: ", 15, and"
Strike: "18"
Insert: "16"

15. Page 25, line 25.
Following: "approval." on line 24
Insert: "(2) All other sections of [this act] are effective July 1, 1989."

16. Page 25, line 25.
Following: line 24
Strike: "(2)(a)"
Insert: "(3)"

17. Page 26, lines 3 through 6.
Following: line 2
Strike: subsection (b) in its entirety

And, as amended, do pass. Report adopted.

HB 391, do pass. Report adopted.

HB 105, introduced bill, be amended as follows:

1. Title, line 7.

Following: "DOCUMENT;"

Insert: "TO MAKE A PERSON WHO FILES A FALSE DOCUMENT BY FACSIMILE LIABLE FOR ANY DAMAGES OCCASIONED THEREBY;"

Following: "7-4-2613"

Insert: ", 7-4-2623,"

2. Page 3, line 24.

Following: "(1)"

Insert: ", except a document that operates to transfer title to realty,"

3. Page 4.

Following: line 13

Insert: "(c) If the original document of which a copy was recorded under subsection (2)(a) is not recorded within 5 working days of recording of the facsimile copy, the recording of the facsimile copy is void and of no effect.

Section 2. Section 7-4-2623, MCA, is amended to read:

"7-4-2623. Liability of clerk relating to duties as recorder — liability for filing false document by facsimile. (1) A county clerk is liable to the party aggrieved for three times the amount of the damages which may be occasioned thereby and is punishable as provided in this code if the county clerk, as ex officio recorder to whom an instrument, proved or acknowledged according to law, or any paper or notice which may be recorded by law is delivered for record:

~~(1)~~(a) neglects or refuses to record such instrument, paper, or notice within reasonable time after receiving the same;

~~(2)~~(b) records any instruments, papers, or notices untruly or in any other manner than as hereinbefore directed;

~~(3)~~(c) neglects or refuses to keep in his office such indexes as are required by this part or to make the proper entries therein;

~~(4)~~(d) neglects or refuses to make the searches and to give the certificates required by this part or if such searches or certificates are incomplete or defective when such incompleteness or defect is due to his direct responsibility particularly affecting the property in respect to which it is requested;

~~(5)~~(e) alters, changes, or obliterates any records deposited in his office or inserts any new matter therein.

(2) A county clerk is not liable under subsection (1) for damages that may be occasioned by the filing of a false document by facsimile under 7-4-2613(2) if the facsimile document appears on its face to be valid and authentic. A person filing a false document is liable for the damages occasioned thereby as provided in subsection (1)."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 392, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "JULY"

Insert: "MAY"

2. Page 1, line 14.

Strike: "June"

Insert: "April"

3. Page 1, line 16.

Strike: "August"

Insert: "June"

4. Page 1, line 22.

Strike: "July"

Insert: "May"

Strike: "August"

Insert: "June"

5. Page 3, line 9.

Strike: "July"

Insert: "May"

6. Page 3, line 11.

Strike: "June"

Insert: "April"

7. Page 3, line 14.

Strike: "July"

Insert: "May"

8. Page 3, line 15.

Strike: "August"

Insert: "June"

And, as amended, do pass and be placed on consent calendar. Report adopted.

HB 416, do pass. Report adopted.

HB 424, introduced bill, be amended as follows:

1. Title, line 5.

Following: "ACKNOWLEDGE"

Insert: "A"

2. Page 1, line 22.

Strike: "his"

Insert: "the"

3. Page 4, line 12.

Strike: "his"

Insert: "the"

4. Page 6, line 23.

Strike: "his"

Insert: "the"

And, as amended, do pass and be placed on consent calendar. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/3/89

HB 302, introduced bill, be amended as follows:

1. Page 2, line 3.

Strike: "The maximum"

Insert: "A"

Strike: "payable"
Insert: "increased"

And, as amended, do pass. Report adopted.

HB 314, do pass. Report adopted.

HB 387, do pass. Report adopted.

HB 412, do pass. Report adopted.

Adverse Committee Report

HB 298, do not pass.

MOTIONS

Representative Simon moved consideration of HB 385 be postponed until the 33rd legislative day. Motion carried.

Representative Hannah moved consideration of HB 207 be postponed until the 31st legislative day. Motion carried.

Representative Harper moved HB 52 be taken from the Committee on Rules and rereferred to the Committee on Legislative Administration. Motion carried.

Representative Spaeth moved HB 26 be taken from printing and rereferred to the Committee on Appropriations. Motion failed.

Representative Spaeth moved HB 370 be taken from printing and rereferred to the Committee on Appropriations. Motion failed. (51-49)

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 452: Manning, Nisbet, Squires, Marks, Jacobson, Mercer, Strizich, Harper, Boharski, Grinde, J. Brown, Hansen, Vincent, and Quilici.

The following sponsors were added to HB 453: Manning, Nisbet, Squires, Marks, Jacobson, Mercer, Strizich, Harper, Boharski, Grinde, J. Brown, Hansen, Vincent, and Quilici.

The following sponsors were added to HB 535: Squires, Quilici, and Harding.

The following sponsors were added to HB 542: Hayne, Westlake, Campbell, Cobb, Elliott, Williams, DeMars, and Koehnke.

The following sponsors were added to HB 551: Jenkins, Devlin, Anderson, Vaughn, Ellison, Giacometto, Aafedt, Strizich, D. Brown, Stang, Nisbet, Iverson, Bishop, Wyatt, Roth, Halligan, Pipinich, Gervais, Bachini, Hager, Squires, Quilici, Jacobson, McLane, McCormick, Connelly, Peterson, Stickney, Severson, Compton, Rice, Moore, Nathe, Grinde, Koehnke, Pavlovich, and Good.

The following sponsor was added to HJR 3: Rasmussen.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent announced bills left on hold status at the Legislative Council after the 30th legislative day and subsequently activated and introduced will be scheduled for hearing only after bills which have not been on hold and as time allows.

Representative Harper moved the House adjourn until 8:30 a.m., Saturday, February 4, 1989.

Motion carried.

House adjourned at 3:30 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTIETH LEGISLATIVE DAY

Helena, Montana
February 4, 1989

House Chambers
State Capitol

House convened at 8:30 a.m., Mr. Speaker in the Chair. Invocation by Representative J. Brown. Pledge of Allegiance to the Flag.

Roll call. All members present except Addy, Driscoll, and Marks, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/4/89

Correctly printed: HB 119, HB 196, HB 212, HB 223, HB 247,
HB 297, HB 314, HB 331, HB 334, HB 368, HB 387, HB 391,
HB 406, HB 409, HB 412, HB 413, HB 416, HB 448, HB 466,
HJR 14.

ADVERSE COMMITTEE REPORT

HB 298 - Representative J. Brown moved the 2/3/89 adverse committee report on HB 298 be adopted. Motion carried as follows:

Ayes: Aafedt, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 82

Noes: Bachini, Cohen, Connelly, Harper, McCormick, Menahan, Nisbet, O'Connell, Peck, Roth, Spaeth, Swysgood, Wyatt.

Total 13

Excused: Addy, Driscoll, Marks.

Total 3

Absent or not voting: Patterson, Squires.

Total 2

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/3/89

HB 14, introduced by Cobb
HB 36, introduced by Schye
HB 115, introduced by McDonough
HB 130, introduced by Stang

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

2/3/89

HB 75, introduced by Mercer
HB 129, introduced by Stang

Senate bills passed and transmitted to the House for concurrence:

2/3/89

SB 127, introduced by Nathe

- SB 136**, introduced by Nathe
SB 200, introduced by Manning
SB 213, introduced by Hofman
SB 227, introduced by Himsl

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 563**, introduced by Spaeth (by request of the Office of Budget and Program Planning), referred to Committee on Appropriations
HB 564, introduced by McCormick, Hansen, Wyatt, O'Connell, Strizich, Manning, Nisbet, Vincent, referred to Committee on Taxation
HB 565, introduced by Pavlovich, Quilici, Williams, Walker, Eck, Halligan, Driscoll, Daily, Nisbet, Harrington, Strizich, D. Brown, Menahan, referred to Committee on Local Government
HB 566, introduced by Harrington, D. Brown, Pavlovich, Daily, Quilici, O'Connell, Wyatt, Ream, McCormick, J. Brown, Cocchiarella, McDonough, Squires, Vincent, Connelly, referred to Committee on Taxation
HB 567, introduced by Harrington, D. Brown, Pavlovich, Daily, Quilici, O'Connell, Wyatt, McCormick, Squires, Vincent, Koehnke, referred to Committee on Taxation
HB 568, introduced by Mercer, Halligan, Strizich, Farrell (by request of the Board of Crime Control), referred to Committee on Judiciary
HB 569, introduced by Nisbet, Darko, J. Brown, B. Brown, referred to Committee on Education and Cultural Resources
HB 570, introduced by Spaeth, Mercer, Van Valkenburg, referred to Committee on Business and Economic Development
HB 571, introduced by D. Brown, referred to Committee on Judiciary

MOTIONS

Representative Driscoll present at this time.

Representative Simpkins moved the rules be suspended to permit the late drafting of a bill and the authority for an additional bill draft request if necessary. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Glaser in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

- HB 119** - Representative Stang moved HB 119 be placed at the bottom of the second reading board. Motion carried.
HB 196 - Representative Cobb moved HB 196 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman,

Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: DeBruycker, O'Keefe, Pavlovich.

Total 3

Excused: Addy, Marks.

Total 2

Absent or not voting: Elliott, Owens.

Total 2

HB 206 - Representative Gould moved HB 206 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Blotkamp, Campbell, Connelly, DeMars, Driscoll, Gervais, Russell, Steppler, Whalen.

Total 9

Excused: Addy, Marks.

Total 2

Absent or not voting: None.

Total 0

HB 212 - Representative Guthrie moved HB 212 do pass. Motion carried as follows:

Ayes: Aafedt, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Bachini, D. Brown, Cohen, Darko, DeMars, Driscoll, Glaser, Kasten, Koehnke, Lee, McCormick, O'Connell, Owens, Patterson, Pavlovich, Peck, Raney, Stang, Swysgood, Thoft, Westlake, Whalen.

Total 22

Excused: Addy, Marks.

Total 2

Absent or not voting: None.

Total 0

HB 223 - Representative Wallin moved HB 223 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Giacometto, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 82

Noes: Clark, Connelly, DeBruycker, Gervais, Gilbert, Glaser, Hannah, O'Connell, Peck, Quilici, Raney, Squires, Stepler, Mr. Speaker.

Total 14

Excused: Addy, Marks.

Total 2

Absent or not voting: Driscoll, Thoft.

Total 2

HB 231 - Representative D. Brown moved HB 231 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: DeBruycker, Grinde, Guthrie, Lee, O'Connell, Roth.

Total 6

Excused: Addy, Marks.

Total 2

Absent or not voting: Driscoll.

Total 1

HB 243 - Representative Rice moved HB 243 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell, DeBruycker, Good, Guthrie, Swysgood, Thoft.

Total 6

Excused: Addy, Marks.

Total 2

Absent or not voting: Simpkins.

Total 1

HB 248 - Representative McDonough moved HB 248 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 82

Noes: Aafedt, Campbell, Clark, Cohen, Giacometto, Good, Grinde, Guthrie, Lee, T. Nelson, Owens, Roth, Swysgood, Thoft, Wallin, Zook.

Total 16

Excused: Addy, Marks.

Total 2

Absent or not voting: None.

Total 0

HB 276 - Representative Patterson moved HB 276 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice,

Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Raney, Stang.

Total 2

Excused: Addy, Marks.

Total 2

Absent or not voting: Grady, Hansen, O'Connell, Simpkins, Squires.

Total 5

HB 292 - Representative Thomas moved HB 292 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Connelly, Davis, Giacometto, Gould, Lee, R. Nelson, Peck.

Total 8

Excused: Addy, Marks.

Total 2

Absent or not voting: None.

Total 0

HB 297 - Representative Roth moved HB 297 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Boharski, Brooke.

Total 2

Excused: Addy, Marks.

Total 2

Absent or not voting: Spring, Stickney.

Total 2

HB 314 - Representative R. Nelson moved HB 314 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Addy, Marks.

Total 2

Absent or not voting: Owens.

Total 1

HB 326 - Representative Rice moved HB 326 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: DeBruycker, Elliott, Glaser, O'Keefe, Patterson, Zook.

Total 6

Excused: Addy, Marks.

Total 2

Absent or not voting: None.

Total 0

Representative Swift excused at this time.

HB 331 - Representative Harper moved HB 331 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen,

Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Brooke.

Total 1

Excused: Addy, Marks, Swift.

Total 3

Absent or not voting: None.

Total 0

HB 334 - Representative Connelly moved HB 334 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, DeBruycker, Driscoll, Gervais, Guthrie, Hanson, Patterson, Phillips, Whalen.

Total 9

Excused: Addy, Marks, Swift.

Total 3

Absent or not voting: Cohen.

Total 1

HB 343 - Representative Hansen moved HB 343 do pass. Motion failed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Elliott, Eudaily, Hansen, Harper, Harrington, Kadas, Kimberley, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Peck, Raney, Russell, Schye, Spaeth, Squires, Stickney, Mr. Speaker.

Total 35

Noes: Aafedt, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, DeBruycker, DeMars, Driscoll, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson,

Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stang, Stepler, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 62

Excused: Addy, Marks, Swift.

Total 3

Absent or not voting: None.

Total 0

Representative Swift present at this time.

HB 387 - Representative Mercer moved HB 387 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook.

Total 85

Noes: Addy, Brooke, Cohen, Elliott, Glaser, Hansen, Kadas, Kilpatrick, Kimberley, O'Keefe, Ream, Rice, Whalen, Mr. Speaker.

Total 14

Paired: Quilici, Aye; Addy, No.

Excused: Marks.

Total 1

Absent or not voting: None.

Total 0

Representatives Harrington and Good excused at this time.

HB 461 - Representative Ream moved HB 461 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: Hannah.

Total 1

HJR 14 - Representative Vincent moved HJR 14 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cobb, Connelly.

Total 2

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: Ellison.

Total 1

HB 119 - Representative Stang moved HB 119, second reading copy, be amended as follows:

1. Title, line 4.

Following: "THE"

Insert: "APPLICATION"

2. Title, line 5.

Following: "\$25"

Insert: ", AND THE RENEWAL OR TRANSFER FEE FROM \$5
TO \$10"

3. Title, line 6.

Following: "FOR"

Strike: "EQUAL"

Following: "DISPOSITION OF THE"

Strike: "FEE"

Insert: "INCREASE"

4. Title, line 7.

Following: "FUND"

Strike: "AND THE MOTOR VEHICLE RECORDING ACCOUNT"

5. Page 1, line 17.

Following: "fee of"

Strike: "\$5"

Insert: "\$10"

6. Page 1, line 21.

Following: "(a)"

Strike: "50%"

Insert: "\$5 of the application fee and \$5 of the transfer or renewal fee"

7. Page 1, line 22.

Following: "(b)"

Strike: "50%"

Insert: "\$20 of the application fee and \$5 of the transfer or renewal fee"

Amendment passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Gilbert, Kasten, Patterson.

Total 3

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: None.

Total 0

Representative Knapp moved HB 119, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Grady, Guthrie, Hannah, Hansen, Harper, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Cocchiarella, Gilbert, Gould, Grinde, Hansen, Kasten, Patterson, Phillips, Ream, Thomas.

Total 10

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: Hoffman.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Glaser moved the adoption of the committee report. Report adopted. (94-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 133 passed as follows:

Ayes: Aafedt, Boharski, D. Brown, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Lee, Marks, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 53

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, Menahan, Moore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 46

Paired: Giacometto, Gilbert, Good, Marks, Ayes; Addy, Bardanouve, Harrington, Kadas, Noes.

Excused: None.

Total 0

Absent or not voting: Owens.

Total 1

HB 168 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Boharski, D. Brown, J. Brown, Clark, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Blotkamp, Bradley, Brooke, Campbell, Cocchiarella, Cohen, DeMars, Gervais, Gilbert, Harper, Kadas, Koehnke, Nisbet, O'Keefe, Raney, Ream, Russell, Swysgood, Thoft, Westlake, Whalen.

Total 21

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: Phillips.

Total 1

HB 179 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Boharski, Cody, Daily, Glaser, Guthrie, Owens, Pavlovich, Swysgood.

Total 8

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: None.

Total 0

HB 265 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: O'Keefe.

Total 1

HB 273 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici,

Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Boharski, Campbell, Clark, Grady, Grinde, Hoffman, Phillips, Roth, Simon, Swysgood.

Total 10

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: None.

Total 0

HB 286 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Clark, Cohen, Gilbert, Pavlovich, Russell, Swysgood, Whalen.

Total 8

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: None.

Total 0

HB 305 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: Giacometto, Hannah.

Total 2

HB 312 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: None.

Total 0

HB 352 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Addy, Good, Harrington, Marks.

Total 4

Absent or not voting: Kilpatrick.

Total 1

HB 360 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller,

Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Campbell, Clark, Giacometto, Grinde, Hannah, Peck, Roth, Simon, Simpkins.
Total 9

Excused: Addy, Good, Harrington, Marks.
Total 4

Absent or not voting: Owens.
Total 1

HB 362 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Elliott.
Total 1

Excused: Addy, Good, Harrington, Marks.
Total 4

Absent or not voting: None.
Total 0

HB 397 passed as follows:

Ayes: Aafedt, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Gould, Grady, Guthrie, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Bachini, D. Brown, Campbell, Connelly, Daily, DeBruycker, Driscoll, Giacometto, Glaser, Grinde, Hannah, Harper, Koehnke, Lee, Menahan, O'Connell, Pavlovich, Phillips, Quilici, Stang, Swysgood, Thoft, Whalen.
Total 23

Excused: Addy, Good, Harrington, Marks.
Total 4

Absent or not voting: None.
Total 0

HB 454 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 88

Noes: D. Brown, Campbell, Driscoll, Gervais, Quilici, Stang, Strizich, Wyatt.
Total 8

Excused: Addy, Good, Harrington, Marks.
Total 4

Absent or not voting: None.
Total 0

HB 19, Senate amendments, concurred in as follows:

Ayes: Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Daily, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Lee, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Mr. Speaker.
Total 74

Noes: Aafedt, Bardanouve, Campbell, Clark, Cohen, Connelly, Darko, DeBruycker, Gervais, Hannah, Kimberley, Koehnke, McCormick, Menahan, Peck, Spring, Stang, Wyatt, Zook.
Total 19

Excused: Addy, Good, Harrington, Marks.
Total 4

Absent or not voting: Moore, Owens, Peterson.
Total 3

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/4/89

Correctly engrossed: HB 114, HB 148, HB 210, HB 267, HB 299,
HB 307, HB 318, HB 319, HB 321, HB 348, HB 366, HB 370,

HB 371, HB 375, HB 392, HB 396, HB 405, HB 408, HB 411,
HB 424, HB 434, HJR 8.

Correctly enrolled: HB 3, HB 67, HB 85, HJR 3.

Examined by the sponsor and found to be correct:

HB 3 - Harrington

HB 67 - Hansen

HB 85 - Hansen

HJR 3 - Menahan

Signed by the Speaker at 10:30 a.m., 2/4/89: HB 3, HB 67, HB 85,
HJR 3.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/4/89

HB 274, introduced bill, be amended as follows:

1. Title, line 8.

Following: "ACTIVITIES"

Strike: the remainder of line 8 through "COMPLAINT"

2. Page 1, lines 13 and 14.

Following: "resides" on line 13

Strike: "or" on line 13 and line 14 in its entirety

3. Page 1, line 19.

Strike: "creditable"

Insert: "credible"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 490, do not pass.

HUMAN SERVICES AND AGING (Hansen, Chairman):

2/4/89

HB 304, introduced bill, be amended as follows:

1. Page 9, line 4.

Strike: "of not less than 30 beds that is"

2. Page 9, line 7.

Strike: "between 5 and"

Insert: "under"

And, as amended, do pass. Report adopted.

HB 308, introduced bill, be amended as follows:

1. Page 32, lines 6 through 9.

Strike: section 16 in its entirety

Renumber: subsequent sections

2. Page 32, line 15.

Strike: "17"

Insert: "16"

3. Page 32, line 17.

Strike: "16"

Insert: "15"

And, as amended, do pass. Report adopted.

HB 389, do pass. Report adopted.

HB 395, introduced bill, be amended as follows:

1. Title, line 6.

Following: "NURSING"

Insert: "AND BOARD OF MEDICAL EXAMINERS, ACTING JOINTLY,"

2. Page 6, line 15.

Following: "board"

Insert: "of nursing and the board of medical examiners, acting jointly,"

3. Page 6, line 18.

Strike: "board"

Insert: "boards"

And, as amended, do pass. Report adopted.

HB 402, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/4/89

HB 278, introduced bill, be amended as follows:

1. Title, lines 8 and 9.

Strike: "UNDER" on line 8 through "PURCHASE" on line 9

Insert: "THROUGH THE DEPARTMENT OF
ADMINISTRATION'S CENTRAL STORES"

2. Title, line 9.

Following: "OR"

Insert: "UNDER A"

3. Page 2, line 6.

Following: "a"

Insert: "is received at or before the time the bids or proposals are opened and"

4. Page 2, line 7.

Strike: "any"

Insert: "the"

5. Page 2, line 9.

Following: "The"

Insert: "of the lowest responsible and responsive bidder or offeror"

Following: "or"

Insert: "improves upon the conditions for the best proposal received using the same factors and weights included in the"

Strike: "received"

6. Page 2, line 17.

Strike: "department"

7. Page 2, line 18.

Strike: "under" through "bulk purchase"

Insert: "department's central stores"

Following: "program"

Insert: "through bulk purchase"

8. Page 2, line 19.

Following: "a"

Insert: "procured under a"

9. Page 2, lines 22 and 23.

Strike: "," on line 22 through "of" on line 23

10. Page 2, line 24.

Strike: "purchase,"

11. Page 2, line 24 through page 3, line 1.

Strike: "for" on line 24 through "contract" on page 3, line 1

Insert: "offered by the central stores program or under the term contract and conforms in all material respects to the terms, conditions, and quality offered by the central stores program or under the term contract"

12. Page 3, line 17.

Following: "price"

Insert: "is received at or before the time the bids or proposals are opened and"

Strike: "any"

Insert: "the"

Following: "bid"

Insert: "of the lowest responsible and responsive bidder or offeror"

13. Page 3, line 18.

Following: the first "or" on line 18

Insert: "improves upon the conditions for the best proposal received using the same factors and weights included in the"

Strike: "received"

14. Page 3, lines 22 and 23.

Strike: "department" on line 22 through "bulk purchase" on line 23

Insert: "department's central stores"

15. Page 3, line 23.

Following: "program"

Insert: "through bulk purchase"

Following: "or"

Insert: "procured under"

16. Page 4, lines 1 and 2.

Strike: "1" on line 1 through "2" on line 2

17. Page 4, lines 2 and 3.

Strike: "for" on line 2 through "contract" on line 3

Insert: "offered by the central stores program or under the term contract and conforms in all material respects to the terms, conditions, and quality offered by the central stores program or under the term contract"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Harper moved Representative D. Brown be recorded as voting yes on HB 133. Motion carried.

Representative Wallin moved his vote on HB 326, second reading, be recorded as yes. Motion carried.

Representative Boharski moved HB 529 be taken from the Committee on Labor and Employment Relations and referred to the Committee on Human Services and Aging. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 458: Kadas.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Kimberly Alexander, Polson
Kirsten Christian, Helena
Charlene Fornfeist, Choteau
Christopher Gregg, Polson
John MacDonald, Stevensville
Erica Olson, Custer
Bill Rapp, Billings
Sarah Theiler, Polson
Alan Woodmansey, Great Falls

Representative Harper moved the House adjourn until 1:00 p.m.,
Monday, February 6, 1989.

Motion carried.

House adjourned at 11:27 a.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 6, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Bradley. Pledge of Allegiance to the Flag.

Roll call. All members present except Kimberley, Moore, L. Nelson, and Schye, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/6/89

Correctly printed: HB 35, HB 105, HB 204, HB 209, HB 274, HB 278, HB 302, HB 304, HB 308, HB 347, HB 389, HB 395, HB 402, HB 417.

Correctly engrossed: HB 119, HB 196, HB 206, HB 212, HB 223, HB 231, HB 243, HB 248, HB 276, HB 292, HB 297, HB 314, HB 326, HB 331, HB 334, HB 387, HB 461, HJR 14.

Delivered to the Governor for his approval at 10:05 a.m., 2/6/89: HB 3, HB 67, HB 85.

Representatives Kimberley, Moore, and Schye present at this time.

Representatives Clark, Hanson, and Knapp excused at this time.

ADVERSE COMMITTEE REPORT

HB 490 - Representative Pavlovich moved the 2/4/89 adverse committee report on HB 490 be adopted.

Representative Spaeth made a substitute motion HB 490 be printed and placed on second reading. Motion failed. (41-55)

Thereupon, the adverse committee report was adopted as follows:

Ayes: Aafedt, Boharski, Brooke, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Daily, Davis, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hayne, Hoffman, Iverson, Kasten, Keller, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Rice, Simon, Simpkins, Smith, Spring, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook.

Total 55

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, D. Brown, Cocchiarella, Connelly, Darko, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Peck, Quilici, Raney, Ream, Roth, Russell, Schye, Spaeth, Squires, Stang, Stickney, Westlake, Whalen, Mr. Speaker.

Total 41

Excused: Clark, Hanson, Knapp, L. Nelson.

Total 4

Absent or not voting: None.

Total 0

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

2/4/89

HB 7, introduced by Peck

Senate bills passed and transmitted to the House for concurrence: 2/4/89

SB 114, introduced by Harp

SB 146, introduced by Hager

SB 180, introduced by Mazurek

SB 181, introduced by Mazurek

SB 201, introduced by Keating

SB 214, introduced by Pipinich

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

February 4, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 41 and 18 on February 4, 1989.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 572, introduced by DeMars, Jenkins, Connelly, Stang, Westlake, Koehnke, Guthrie, referred to Committee on Highways and Transportation

HB 573, introduced by McCormick, Pavlovich, Daily, Bachini, Nisbet (by request of the Committee on Business and Economic Development), referred to Committee on Business and Economic Development

HB 574, introduced by Grady, referred to Committee on Highways and Transportation

HB 575, introduced by Kadas, referred to Select Committee on Education

HB 576, introduced by Roth, Lynch, Pavlovich, Gilbert, Phillips, Campbell, Driscoll, McCormick, Smith, Keating, DeMars, Quilici, Tveit, Whalen, Nisbet, Noble, Daily, Iverson, Williams, Manning, Grady, Devlin, Swysgood, Grinde, Walker, Nathe, Giacometto, Jenkins, Spaeth, Rehberg, McLane, referred to Committee on Business and Economic Development

HB 577, introduced by Simon, Hannah, Driscoll, referred to Committee on Business and Economic Development

HB 578, introduced by Rice, Mercer, Spaeth, McDonough, referred to Committee on Judiciary

HB 579, introduced by Stickney, Cody, Marks, Harrington, Jacobson, referred to Committee on Human Services and Aging

HB 580, introduced by Kadas, referred to Committee on State Administration

HB 581, introduced by Iverson, Williams (by request of the Department of State Lands), referred to Committee on Natural Resources

- HB 582**, introduced by Eudaily, Vincent, Mercer, D. Brown, Gould, referred to Committee on Judiciary
- HB 583**, introduced by Bardanouve (by request of the House Appropriations Committee), referred to Committee on Appropriations
- HB 584**, introduced by Ream, Yellowtail, referred to Committee on Natural Resources
- HB 585**, introduced by Davis, referred to Committee on Business and Economic Development

MOTIONS

Representative Pavlovich moved HB 247 be taken from second reading this legislative day and rereferred to the Committee on Business and Economic Development. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Hanson, Knapp, and L. Nelson present at this time.

Representative D. Brown excused at this time.

HB 35 - Representative Harrington moved HB 35 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Kadas, O'Keefe, Owens, Raney.

Total 4

Excused: D. Brown, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 207 - Representative Gould moved HB 207, second reading copy, be amended as follows:

1. Page 2.
Following: line 3
Insert:

"STATEMENT OF INTENT"

This bill requires a statement of intent because [sections 2 and 6] grant rulemaking authority to the director of the department of commerce. The overall intent and purpose of this bill is to enable the lottery to be run as a business.

The legislature finds that the lottery is a complex business driven by market forces and must be given flexibility in order to maximize profits.

The legislature also finds that the people of Montana overwhelmingly approved the creation of a lottery and that the intent of the people was also to maximize profits to the state.

The legislature finds that an operational budget based on a percentage of revenue has hampered the lottery commission in its attempt to operate as a business. The lottery must be able to plan for market expansion, improvement of the product line, cost reduction, and organizational development as would a private business. These plans cannot be made or carried out unless the operational budget is a fixed amount. It is the intent of the legislature that the lottery's operating budget be set by the legislature as are the budgets of all other state agencies.

In [section 2], the legislature grants rulemaking authority to the director of the department of commerce. The legislature intends that the director adopt rules providing for staff incentives or bonuses for increased sales only if these rules can be shown to significantly increase sales. It is the further intent that the rules for sales incentives and bonuses be based on incentive and bonus plans that have proven successful in private business or other lotteries.

The legislature intends to give the commission flexibility to change the prize payout in instant ticket games in order to increase profits. If increased prize payout does not result in increased net revenue, the decision of the commission then should be to roll back the prize payout percentage to comply with the legislative intent of maximizing profits.

In [section 6], the legislature allows the director of the department of commerce to adopt rules providing for increased commissions to retailers if retailers increase their sales of lottery products. The legislature intends that the bonus commission plans be based on successful plans in other lotteries, such as Colorado's, whereby total sales are projected for each retailer based on average sales over a period of time, such as 1 year. Whenever future sales for an established period of time exceed forecasted sales, a bonus may be paid. For example, if a retailer maintains average sales, the commission is the regular 5%; if a retailer sells a certain percentage above average, 6%; an even higher percentage of increase in sales may provide 7%, etc. The purpose of bonus commissions is to increase net revenue to the state."

2. Page 8, line 9.

Following: "the"

Insert: "director of the"

Amendment passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily,

Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Addy, Bardanouve, Ellison, Hansen, Harper, Lee, O'Keefe, Rice, Steppler, Wallin.
Total 10

Excused: D. Brown, Clark.
Total 2

Absent or not voting: Kadas, Menahan.
Total 2

Representative Addy moved HB 207, second reading copy, be further amended.

Representative Addy made a substitute motion consideration of Amendment No. 2 be placed below consideration of Amendment Nos. 3, 4, and 5. Motion carried.

Representative Daily assumed the Chair at this time.

Representative Hannah moved HB 207, second reading copy, be further amended. Amendment failed. (44-51)

Representative Hannah moved HB 207, second reading copy, be further amended as follows:

1. Page 13, line 21.

Strike: "That part"

Insert: "Thirty-five percent"

2. Page 13, lines 21 and 22.

Strike: "not used" on line 21 through "expenses" on line 22

Representative Clark present at this time.

Representatives Marks and Smith excused at this time.

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Darko, DeBruycker, Elliott, Ellison, Eudaily, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Steppler, Stickney, Thoft, Wallin, Westlake, Zook, Mr. Speaker.
Total 66

Noes: Aafedt, Campbell, Cody, Connelly, Daily, Davis, DeMars, Driscoll, Gervais, Giacometto, Gould, Grady, Harrington, Hayne, Kilpatrick, McCormick, Menahan, Nisbet, O'Connell, Owens, Pavlovich, Quilici,

Rehberg, Roth, Smith, Stang, Strizich, Swift, Swysgood, Thomas, Whalen, Wyatt.

Total 32

Paired: Mercer, Aye; Smith, No.

Excused: D. Brown, Marks.

Total 2

Absent or not voting: None.

Total 0

Representative Addy withdrew Amendment No. 2.

Representative Gould moved HB 207, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hansen, Harrington, Hayne, Hoffman, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 67

Noes: Bardanouve, Boharski, Clark, Cobb, Cohen, DeBruycker, Elliott, Ellison, Gilbert, Glaser, Grinde, Hannah, Hanson, Harper, Iverson, Kadas, Kasten, Lee, L. Nelson, R. Nelson, T. Nelson, Patterson, Peck, Ramirez, Rice, Spring, Steppler, Wallin, Zook.

Total 29

Excused: D. Brown, Marks, Smith.

Total 3

Absent or not voting: Ream.

Total 1

Representative Pavlovich resumed the chair at this time.

HB 368 - Representative Cocchiarella moved HB 368 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Westlake, Whalen.

Total 2

Excused: D. Brown, Marks, Smith.

Total 3

Absent or not voting: Cobb, Keller, Menahan.

Total 3

Representative D. Brown present at this time.

HB 391 - Representative Driscoll moved HB 391 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski, Glaser, Grinde, Hayne, Lee.

Total 5

Excused: Marks, Smith.

Total 2

Absent or not voting: Cody, Moore.

Total 2

HB 406 - Representative Gould moved HB 406 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Marks, Smith.

Total 2

Absent or not voting: Cody.

Total 1

HB 409 - Representative Good moved HB 409 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Giacometto, Steppler.

Total 2

Excused: Marks, Smith.

Total 2

Absent or not voting: Cohen.

Total 1

HB 412 - Representative Bradley moved HB 412 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Spring, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook.

Total 83

Noes: Clark, Driscoll, Glaser, Grinde, Simpkins, Squires, Stang, Steppler, Swysgood, Thoft, Whalen, Mr. Speaker.

Total 12

Excused: Marks, Smith.

Total 2

Absent or not voting: Mercer, Owens, Phillips.

Total 3

HB 413 - Representative Westlake moved HB 413 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gould, Grady, Guthrie, Hansen, Hanson, Hoffman, Johnson, Keller, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peck, Peterson, Ream, Rice, Roth, Russell, Simpkins, Spaeth, Spring, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 63

Noes: Bardanouve, Boharski, Brooke, Cohen, Compton, Daily, Gilbert, Glaser, Good, Grinde, Hannah, Harper, Harrington, Hayne, Iverson, Kadas, Kasten, Kilpatrick, Kimberley, Menahan, O'Keefe, Patterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Schye, Simon, Squires, Stang, Stepler, Thoft, Wyatt.

Total 34

Excused: Marks, Smith.

Total 2

Absent or not voting: Campbell.

Total 1

HB 416 - Representative Hoffman moved HB 416 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Blotkamp, Cobb, Cohen, Driscoll, Elliott, Kasten, Peck, Phillips, Raney, Stepler, Whalen.

Total 11

Excused: Marks, Smith.

Total 2

Absent or not voting: Bardanouve.

Total 1

HB 448 - Representative Menahan moved HB 448 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Addy.

Total 1

Excused: Marks, Smith.

Total 2

Absent or not voting: D. Brown.

Total 1

HB 466 - Representative Blotkamp moved HB 466 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Marks, Smith.

Total 2

Absent or not voting: Bachini.

Total 1

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (98-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 114 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Marks, Smith.

Total 2

Absent or not voting: Knapp, Peterson.

Total 2

HB 148 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Roth, Russell, Schye, Simon, Spaeth, Spring, Squires, Stepler, Stickney, Wallin, Whalen, Mr. Speaker.

Total 55

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Cohen, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Koehnke, Lee, Marks, Mercer, Moore, R. Nelson, T. Nelson, Owens, Patterson, Phillips, Rehberg, Rice, Simpkins, Stang, Swift, Swysgood, Thoft, Thomas, Westlake, Wyatt, Zook.

Total 42

Paired: Harper, Aye; Marks, No.

Excused: Smith.

Total 1

Absent or not voting: O'Connell, Strizich.

Total 2

HB 210 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bardanouve, Kadas, Koehnke, Peck, Peterson.

Total 5

Excused: Marks, Smith.

Total 2

Absent or not voting: Gervais.

Total 1

HB 267 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell,

O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 54

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, R. Nelson, T. Nelson, Owens, Patterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 44

Paired: Kilpatrick, Aye; Marks, No.

Excused: Smith.

Total 1

Absent or not voting: Peterson.

Total 1

HB 299 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, O'Connell, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Aafedt, Clark, Daily, DeBruycker, Eudaily, Guthrie, Hanson, Hayne, Kasten, R. Nelson, Nisbet, Owens, Patterson, Pavlovich, Phillips, Ramirez, Rehberg, Simpkins.

Total 18

Excused: Marks, Smith.

Total 2

Absent or not voting: Darko.

Total 1

HB 307 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Cody, DeBruycker, Eudaily, Good, Gould, Grinde, Hanson, Patterson, Peck, Phillips, Stang.

Total 11

Excused: Marks, Smith.

Total 2

Absent or not voting: None.

Total 0

HB 318 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 78

Noes: Campbell, Cocchiarella, Cody, Cohen, Driscoll, Giacometto, Gilbert, Grinde, Guthrie, Kimberley, Koehnke, L. Nelson, Peck, Schye, Stang, Swysgood, Thoft, Whalen, Wyatt.

Total 19

Excused: Marks, Smith.

Total 2

Absent or not voting: Hansen.

Total 1

HB 319 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Cohen, Giacometto.

Total 3

Excused: Marks, Smith.

Total 2

Absent or not voting: Ellison, R. Nelson, Simon.

Total 3

HB 321 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell, Cohen, Hannah.

Total 3

Excused: Marks, Smith.

Total 2

Absent or not voting: Ellison.

Total 1

Representative Smith present at this time.

HB 348 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 93

Noes: Wyatt.

Total 1

Excused: Marks.

Total 1

Absent or not voting: Harper, Owens, Pavlovich, Peck, Simpkins.

Total 5

HB 366 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez,

Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Marks.

Total 1

Absent or not voting: Ellison, Owens.

Total 2

HB 371 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Boharski, Cobb, Good, Grinde, Guthrie, Peck, Wyatt.

Total 7

Excused: Marks.

Total 1

Absent or not voting: Ellison, Owens, Simon.

Total 3

HB 375 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Marks.

Total 1

Absent or not voting: Kilpatrick, Owens.

Total 2

HB 396 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Peck.

Total 1

Excused: Marks.

Total 1

Absent or not voting: Ellison, Keller.

Total 2

HB 405 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Marks.

Total 1

Absent or not voting: None.

Total 0

HB 408 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp,

Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Campbell.

Total 1

Excused: Marks.

Total 1

Absent or not voting: Harrington, Johnson.

Total 2

HB 411 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Marks.

Total 1

Absent or not voting: Hansen, Johnson.

Total 2

HB 434 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Marks.

Total 1

Absent or not voting: Ellison.

Total 1

HJR 8 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, Rehberg, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: DeBruycker, Elliott, Hannah, Lee, Ramirez, Raney, Rice, Schye.

Total 8

Excused: Marks.

Total 1

Absent or not voting: Kadas, Owens.

Total 2

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/4/89

HB 238, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

2/3/89

HB 177, introduced bill, be amended as follows:

1. Page 5, line 11.

Following: "may"

Insert: "not"

And, as amended, do pass. Report adopted.

HB 185, introduced bill, be amended as follows:

2/6/89

1. Title, line 7.

Strike: "PUBLIC"

2. Page 5, lines 9, 16, and 19.

Strike: "public"

3. Page 5, line 10.

Strike: "anywhere in the state"

4. Page 5, line 13.

Following: "notify the"

Insert: "regional central office of the"

Strike: "public"

5. Page 5, line 21.

Following: "facility"

Insert: "within"

6. Page 5, line 22.

Strike: "12 hours"

Insert: "12-hour period"

7. Page 5, line 25.

Strike: "within 4 hours"

Insert: "as soon as reasonably practical"

And, as amended, do pass. Report adopted.

HB 197, introduced bill, be amended as follows:

2/3/89

1. Page 1, line 19.

Strike: ";"

2. Page 1, line 20.

Strike: "(i)"

Strike: "; or"

3. Page 1, lines 21 and 22.

Strike: "(ii) an" on line 21 through "53-4-101" on line 22

And, as amended, do pass. Report adopted.

HB 264, introduced bill, be amended as follows:

2/6/89

1. Title, line 11.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "7-32-2208"

Insert: "AND 45-7-306"

2. Page 2, line 11.

Following: "commissioners."

Insert: "A person participating in a county jail work program may not have his labor or other work contracted out to a private party or be required to do labor or other work that furthers the private interests of a government employee or official. He may only be permitted or required to do labor or other work that relates to public projects, public services, or other public matters."

3. Page 3, line 11.

Following: "assault,"

Insert: "domestic abuse, incest,"

4. Page 4, following line 2.

Insert: "Section 5. Section 45-7-306, MCA, is amended to read:

"45-7-306. Escape. (1) "Official detention" means imprisonment which resulted from a conviction for an offense, confinement for an offense, confinement of a person charged with an offense, detention by a peace officer pursuant to arrest, detention for extradition or deportation, supervision while under a supervised release program, participation in a county jail work program under [sections 1 through 3], or any lawful detention for the purpose of the protection of the welfare of the person detained or for the protection of society. "Official detention" does not include supervision of probation or parole, constraint incidental to release on bail, or an unlawful arrest

unless the person arrested employed physical force, a threat of physical force, or a weapon to escape.

(2) A person subject to official detention commits the offense of escape if he knowingly or purposely removes himself from official detention or fails to return to official detention following temporary leave granted for a specific purpose or limited time. A person also commits the offense of escape if he is participating in a county jail work program under [sections 1 through 3] and he knowingly or purposely fails to appear for work at a time and place scheduled for participation in the program.

(3) A person convicted of the offense of escape shall be:

(a) imprisoned in the state prison for a term not to exceed 20 years if he escapes from a state prison, county jail, city jail, or supervised release program by the use or threat of force, physical violence, weapon, or simulated weapon;

(b) imprisoned in the state prison for a term not to exceed 10 years if he:

(i) escapes from a state prison, county jail, city jail, halfway house, life skills center, or supervised release program; or

(ii) escapes from another official detention by the use or threat of force, physical violence, weapon, or simulated weapon; or

(c) fined not to exceed \$500 or imprisoned in the county jail for a term not to exceed 6 months, or both, if he commits escape under circumstances other than (a) and (b) of this subsection.””

And, as amended, do pass. Report adopted.

HB 386, introduced bill, be amended as follows:

2/3/89

1. Page 1, line 24.

Strike: “may”

Insert: “does”

2. Page 2, line 25.

Following: “laws.”

Insert: “The verification must include the name and address of the purchaser and a description of the property purchased.”

And, as amended, do pass. Report adopted.

HB 401, introduced bill, be amended as follows:

1. Page 1, line 13.

Insert:

“STATEMENT OF INTENT

A statement of intent is required for this bill because it requires the department of institutions to adopt rules establishing firearms training requirements and procedures for authorizing the carrying of firearms by probation and parole officers. The legislature intends that these rules address but not be limited to the following:

(1) required firearms training courses and certification procedures;

(2) types of firearms to be carried by officers;

(3) procedures for requesting the carrying of a firearm for performing a specific duty;

- (4) circumstances under which the carrying of a firearm is permitted or prohibited;
- (5) control and storage of firearms purchased by the department; and
- (6) procedures for monitoring and documenting the use of a firearm in performance of an official duty."

2. Page 1, line 22.

Following: "firearms"

Insert: ", including concealed firearms,"

And, as amended, do pass. Report adopted.

MOTIONS

Representative J. Brown moved HB 535 be taken from the Committee on Appropriations and rereferred to the Committee on Business and Economic Development. Motion carried.

Representative Blotkamp moved his vote and that of Representative Menahan, on HB 466, second reading, be recorded as yes. Motion carried.

Representative Marks present at this time.

SPECIAL ORDERS OF THE DAY

Upon objection of Representatives Darko, Vincent, and Spaeth, HB 392 was removed from the consent calendar and placed on second reading.

The following sponsor was added to HB 421: Davis.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Tuesday, February 7, 1989.

Motion carried.

House adjourned at 3:20 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 7, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative DeBruycker. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb, Giacometto, Grady, Lee, Marks, and O'Keefe, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/7/89

Correctly printed: HB 177, HB 185, HB 197, HB 238, HB 264, HB 386, HB 401.

Correctly engrossed: HB 35, HB 207, HB 368, HB 391, HB 406, HB 409, HB 412, HB 413, HB 416, HB 448, HB 466.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):

2/6/89

HB 398, do pass. Report adopted.

HB 423, introduced bill, be amended as follows:

1. Page 1, line 8.

Following: Page 1, line 7

Insert:

"STATEMENT OF INTENT

A statement of intent for this bill is necessary because it requires the department of livestock to adopt rules implementing a permit system for the transportation of sheep within or out of the state. The legislature intends that the rules be designed to provide the owner with protection against the theft of his sheep by requiring a permit for the removal of sheep:

(a) from one county to another county within the state; and

(b) out of the state.

Provision must be made for the form of the permit and for issuance of the permit by state livestock inspectors. The department shall also determine a fee for the issuance of the permit, commensurate with the cost of operating the permit system.

It is the intent of the legislature that the department of livestock monitor this permit system to determine the system's effectiveness prior to the termination date of this legislation."

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/7/89

HB 374, do pass. Report adopted.

HB 433, do pass. Report adopted.

HB 455, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/6/89

HB 8, introduced by Swysgood

HB 22, introduced by Brooke

HB 23, introduced by Brooke

- HB 24**, introduced by Brooke
- HB 53**, introduced by Ramirez
- HB 55**, introduced by Harrington
- HB 59**, introduced by Spaeth
- HB 82**, introduced by O'Keefe
- HB 83**, introduced by Harrington
- HB 145**, introduced by Ramirez

Senate bills passed and transmitted to the House for concurrence: 2/6/89

- SB 145**, introduced by Eck
- SB 157**, introduced by Nathe
- SB 219**, introduced by Walker
- SB 231**, introduced by Pipinich
- SB 280**, introduced by Boylan

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 586**, introduced by Mercer, Menahan, referred to Committee on Taxation
- HB 587**, introduced by Addy, Vincent, referred to Committee on Judiciary
- HB 588**, introduced by Menahan, Mercer, Kadas, Eudaily, Whalen, Driscoll, Lynch, referred to Committee on Taxation
- HB 589**, introduced by Hoffman, Moore, Cohen, Addy, Story, Anderson, Hofman, referred to Committee on Taxation
- HB 590**, introduced by Schye, referred to Committee on Taxation
- HB 591**, introduced by Phillips, referred to Committee on Business and Economic Development
- HB 592**, introduced by Driscoll, referred to Committee on Judiciary
- HB 593**, introduced by Russell, Hansen, Harrington, Regan, Brooke, Squires, Wyatt, McCormick, Bachini, Kilpatrick, J. Brown, Ream, O'Connell, Spaeth, O'Keefe, Connelly, Daily, Pavlovich, Jacobson, Vaughn, Bradley, Yellowtail, Stickney, referred to Committee on Judiciary
- HB 594**, introduced by Thomas, Mercer, Mazurek, D. Brown, referred to Committee on Judiciary
- HB 595**, introduced by Russell, Gervais, Ream, Moore, Raney, Brooke, Cody, Spaeth, Hanson, Phillips, Glaser, Bardanouve, Vincent, Yellowtail, referred to Committee on Highways and Transportation
- HJR 18**, introduced by Menahan, Blotkamp, Lynch, Elliott, Pavlovich, Pipinich, Hayne, Hannah, Giacometto, Swysgood, Compton, Gilbert, Grady, Good, M. Hanson, Driscoll, Swift, Hoffman, Clark, Zook, Guthrie, Thoft, Cobb, Kasten, Patterson, DeBruycker, Simon, Lee, Rice, Rehberg, Harrington, Squires, Cocchiarella, Ream, J. Brown, Koehnke, Davis, Brooke, Russell, Hansen, Connelly, Kadas, Tveit, Moore, referred to Committee on Natural Resources

MOTIONS

Representative Pavlovich moved HB 565 be taken from the Committee on Local Government and rereferred to the Committee on Business and Economic Development. Motion carried.

Representative Cocchiarella moved HB 370 be rereferred to the Committee on Appropriations. Motion carried.

Representative Stang moved HB 119 be taken from third reading this legislative day and referred to second reading on the 33rd legislative day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Marks in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Mercer assumed the Chair at this time.

HB 105 - Representative Ellison moved consideration of HB 105 be passed for the day. Motion carried.

HB 204 - Representative Swysgood moved HB 204 be placed at the bottom of the second reading board. Motion carried.

HB 209 - Representative Hannah moved HB 209 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rane, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: Kasten, Zook.

Total 2

Excused: Cobb, Giacometto, Grady, Lee, Marks, O'Keefe.

Total 6

Absent or not voting: None.

Total 0

HB 274 - Representative Pavlovich moved HB 274, second reading copy, be amended as follows:

1. Page 1, line 11.

Following: "COMPLAINT" on line 10

Insert: the following material beginning at line 11

"STATEMENT OF INTENT"

"A statement of intent is required for this bill in order to provide guidance to the department of state lands concerning the rulemaking authority that is provided in the bill. The department is authorized to adopt rules concerning the types and methods of investigations it may conduct to appropriately respond to complaints about the use

of explosives associated with hard-rock mining and exploration activities. The rules may also specify the manner in which persons using explosives shall participate and cooperate in the department's investigation of a complaint and in carrying out any changes ordered by the department as a result of the investigation."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Gilbert.

Total 1

Excused: Cobb, Giacometto, Grady, Lee, Marks, O'Keefe.

Total 6

Absent or not voting: Hoffman.

Total 1

Representatives Marks, Giacometto, and O'Keefe present at this time.

Representative Marks assumed the Chair at this time.

Representative Quilici moved HB 274, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 68

Noes: Boharski, Clark, Ellison, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hayne, Hoffman, Kasten, Keller, R. Nelson, T. Nelson, Owens, Peterson, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Thoft.

Total 27

Excused: Cobb, Grady, Lee.

Total 3

Absent or not voting: Hannah, Nisbet.

Total 2

HB 278 - Representative Ream moved HB 278 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Gilbert, Wallin.
Total 2

Excused: Cobb, Grady, Lee.
Total 3

Absent or not voting: D. Brown, Darko.
Total 2

HB 302 - Representative Swysgood moved HB 302 be placed at the bottom of the second reading board. Motion carried.

HB 304 - Representative Hannah moved HB 304, second reading copy, be amended as follows:

1. Page 9, line 12.

Following: ~~"of not less than 30 beds that is"~~

Insert: "of not less than 30 beds that is"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Bradley, Brooke, D. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bachini, J. Brown, Gould, Menahan, O'Keefe, Peck, Rice, Stang.
Total 8

Paired: Grady, Aye; J. Brown, No.

Excused: Cobb, Lee.
Total 2

Absent or not voting: Blotkamp, Moore, Squires.
Total 3

Representative Grady present at this time.

Representative Hannah moved HB 304, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Boharski, Giacometto, Gould, Grinde, Kasten, Lee, Swysgood, Thoft, Thomas.

Total 9

Paired: Simon, Aye; Lee, No.

Excused: Cobb.

Total 1

Absent or not voting: D. Brown.

Total 1

HB 308 - Representative Squires moved HB 308 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Grinde.

Total 1

Excused: Cobb, Lee.

Total 2

Absent or not voting: Patterson.

Total 1

HB 347 - Representative Smith moved HB 347 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick,

Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cobb, Lee.

Total 2

Absent or not voting: Peck.

Total 1

HB 389 - Representative Campbell moved HB 389 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Boharski, Daily, O'Keefe, Pavlovich.

Total 4

Excused: Cobb, Lee.

Total 2

Absent or not voting: Kadas, Menahan.

Total 2

HB 395 - Representative Cody moved HB 395 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook.

Total 93

Noes: Swift, Wallin, Mr. Speaker.

Total 3

Excused: Cobb, Lee.

Total 2

Absent or not voting: Connelly, Ellison.

Total 2

HB 402 - Representative J. Brown moved HB 402 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: DeBruycker, Gilbert, Gould, Hannah, T. Nelson, Peck, Phillips, Roth, Simon, Swift, Swysgood, Thomas, Wallin.

Total 13

Excused: Cobb, Lee.

Total 2

Absent or not voting: Iverson, Simpkins.

Total 2

HB 417 - Representative Pavlovich moved HB 417, second reading copy, be amended as follows:

1. Page 1, line 20.

Strike: "\$250"

Insert: "\$200"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Ellison.

Total 1

Excused: Cobb, Lee.

Total 2

Absent or not voting: Schye.

Total 1

Representative Pavlovich moved HB 417, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Koehnke, Peck, Raney, Rice.

Total 4

Excused: Cobb, Lee.

Total 2

Absent or not voting: Hannah, Keller, Kilpatrick.

Total 3

Representative Cobb present at this time.

HB 37 - Representative Cohen moved Senate amendments to HB 37 be concurred in. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Boharski, Clark, Giacometto, Glaser, Grinde, R. Nelson, Owens, Peck, Peterson, Swysgood, Thoft.

Total 11

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HB 204 - Representative Cobb moved consideration of HB 204 be passed for the day. Motion carried.

HB 302 - Representative Grady moved HB 302 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Cody, Giacometto, Gilbert, Good, Hanson, R. Nelson, Peck, Rehberg, Stepler.

Total 9

Excused: Lee.

Total 1

Absent or not voting: Cohen, Koehnke.

Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Marks moved the adoption of the committee report. Report adopted. (99-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 196 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: DeBruycker, Grinde.

Total 2

Excused: Lee.

Total 1

Absent or not voting: Iverson.

Total 1

HB 206 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Driscoll, Gervais, Koehnke, Russell, Stang, Whalen.

Total 7

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HB 212 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Bachini, D. Brown, Cohen, Driscoll, Glaser, Koehnke, Owens, Patterson, Ream, Stang, Swysgood, Thoft, Westlake, Whalen.

Total 14

Excused: Lee.

Total 1

Absent or not voting: Nisbet, O'Connell.

Total 2

HB 223 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rice, Roth, Russell, Schye, Simon,

Simpkins, Smith, Spaeth, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Addy, Clark, Connelly, Gervais, Gilbert, Hannah, Peck, Ream, Rehberg, Squires, Stepler.
Total 11

Excused: Lee.
Total 1

Absent or not voting: O'Connell, Spring.
Total 2

HB 231 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Campbell, DeBruycker, Grinde, Guthrie, Roth, Spaeth.
Total 6

Excused: Lee.
Total 1

Absent or not voting: Gervais.
Total 1

HB 243 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Campbell, Good, Grinde, Guthrie, Swysgood, Thoft.
Total 6

Excused: Lee.
Total 1

Absent or not voting: None.

Total 0

HB 248 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Aafedt, Cohen, Grinde, Guthrie, Marks, T. Nelson, Owens, Roth, Steppler, Swysgood, Thoft, Wallin.

Total 12

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HB 276 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Raney, Stang.

Total 2

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HB 292 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson,

Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Boharski, Davis, Giacometto, Gould, Grinde, R. Nelson, Peck.

Total 7

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HB 297 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HB 314 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HB 326 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 90

Noes: DeBruycker, Elliott, Glaser, Kadas, O'Keefe, Patterson, Peck, Zook.

Total 8

Excused: Lee.

Total 1

Absent or not voting: Compton.

Total 1

HB 331 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Clark.

Total 1

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HB 334 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott,

Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Driscoll, Gervais, Guthrie, Hanson, Patterson, Quilici, Russell, Whalen.

Total 9

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HB 424 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Lee.

Total 1

Absent or not voting: R. Nelson.

Total 1

HB 461 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney,

Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Kasten.

Total 1

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HJR 14 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Cobb.

Total 1

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative Ellison moved HB 105 be taken from engrossing and rereferred to the Committee on Local Government. Motion carried.

Representative Hannah moved HB 304 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/7/89

HB 247, introduced bill, be amended as follows:

1. Title, line 9.

Following: "SERVICES;"

Insert: "AMENDING SECTION 33-16-103, MCA;"

2. Page 1, line 10.

Following: "DATE." on page 1, line 9

Insert: the following material beginning at page 1, line 10

"STATEMENT OF INTENT"

A statement of intent is required for this bill because it authorizes the commissioner of insurance to make and amend reasonable rules

relating to regional ratemaking. The problem that gave rise to this bill is the obstetrics crisis. Both obstetricians and family practitioners with an obstetrics practice have seen liability insurance premiums skyrocket. This has resulted in many rural physicians ceasing to handle this type of practice. It is simply not cost effective to continue to practice obstetrics when the premium almost doubles for obstetrics coverage. Several rural western states have felt that it is not their experience driving up the cost of coverage, but rather that of high-tech, urban medical centers. In response, this bill was drafted to allow the commissioner of insurance to determine, in areas that are noncompetitive or volatile, which states' experience will be used to supplement Montana's experience. The commissioner is authorized to adopt reasonable regulations designating certain lines of insurance as covered lines because they are noncompetitive or volatile for ratemaking purposes, requiring insurers transacting business in the covered lines to file rating data with the commissioner, and allowing the commissioner to develop reasonable trend adjustments and development factors to be used in assessing the reported data."

3. Page 1, line 12.

Following: line 11

Insert: "Section 1. Section 33-16-103, MCA, is amended to read:

"33-16-103. Application. This chapter applies to all insurers and all kinds of insurance, except that nothing contained in this chapter shall apply applies to:

- (1) life insurance;
- (2) disability insurance;
- (3) reinsurance, except joint reinsurance as provided in 33-16-307;
- (4) insurance against loss of or damage to aircraft, their hulls, accessories, and equipment, or against liability, other than workers' compensation and employers' liability, arising out of the ownership, maintenance, or use of aircraft;
- (5) insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured under marine, as distinguished from inland marine, insurance policies; or
- (6) surplus lines insurance as defined in 33-2-301."

Renumber: subsequent sections

4. Page 1, line 12.

Strike: "[This act]"

Insert: "[Sections 2 through 12]"

5. Page 1, line 14.

Strike: "[This act] is"

Insert: "[Sections 2 through 12] are"

6. Page 1, line 25, and page 2, line 1.

Following: "in" on line 25

Strike: "[this act]"

Insert: "[sections 2 through 12]"

7. Page 2, line 7.

Strike: "5"

Insert: "6"

Strike: "6"
Insert: "7"

8. Page 2, line 11.
Strike: "3"
Insert: "4"

9. Page 4, line 21.
Strike: "4"
Insert: "5"

10. Page 5, line 19.
Strike: "1"
Insert: "2"
Strike: "6"
Insert: "7"

11. Page 5, line 21.
Strike: "1"
Insert: "2"
Strike: "6"
Insert: "7"

12. Page 5, line 22.
Strike: "7"
Insert: "8"

13. Page 1, line 19.
Strike: "[this act]"
Insert: "[sections 2 through 12]"

And, as amended, do pass. Report adopted.

HB 306, do pass. Report adopted.

HB 341, do pass. Report adopted.

HB 429, do pass. Report adopted.

HB 430, do pass. Report adopted.

HB 431, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

2/7/89

HB 282, introduced bill, be amended as follows:

1. Title, line 5.

Following: ".,"

Insert: "PROVIDING THAT THE COMMISSION CONSIST OF
NINE MEMBERS OF THE BOARD OF CRIME CONTROL;"

2. Title, line 8.

Following: ".,"

Insert: "AMENDING SECTION 2-15-2006, MCA;"

3. Page 1, line 10.

Insert:

"STATEMENT OF INTENT

The intent of this proposal is to establish a nine-member detention center standards commission. The majority of members must be representatives of local government. It is intended that the person representing the general public have an interest in and knowledge of inmates' rights. The commission will have a professional staff and will meet not less than quarterly to adopt standards, review applicable design or renovation plans, review inspections for compliance

with standards, and assist governing bodies to comply with standards. It is intended that the commission and its staff serve to help detention centers and temporary detention centers comply with standards, rather than act solely as enforcers.

The commission shall adopt by rule minimum standards of design, maintenance, and operation for jails and lockups. Jails have been redefined as detention centers and lockups as temporary detention centers. The standards are intended to be an outline of the mandatory minimum necessary for design, maintenance, and operation of constitutionally acceptable detention centers and temporary detention centers based on the "evolving standard of decency" provided in statute and case law.

It is intended that the commission hire staff to assist and to inspect for compliance with standards. When a detention center or temporary detention center is found to be noncompliant with certain standards, it is intended that any threat to life of inmates or staff be immediately remedied. In cases where noncompliance is not life-threatening, it is intended that governing bodies work with the commission to develop an action plan to remedy the problem within a reasonable time period. If, however, no action plan is developed and no corrective action is taken, it is intended that the commission may take appropriate court action, including closure of the facility.

It is intended that the commission will retain the right to evaluate each design or renovation plan on an individual basis. The design and specifics will be worked out among the commission, the local governing body, the respective project architect, appropriate building code inspectors, and the state architect.

Finally, it is intended that the standards be adopted by 1991 but that no facility be closed for noncompliance to design standards within 3 years of the adoption of the design standards. This is because design involves much time in planning, bonding, and bidding."

4. Page 1, line 15.

Strike: "construction"

Insert: "design"

5. Page 3, line 14.

Following: line 13

Strike: "appointed"

Insert: "of the board of crime control designated"

Following: "."

Strike: remainder of line 14 through page 4, line 14 in its entirety

6. Page 5, line 5.

Strike: "construction"

Insert: "design"

7. Page 5, line 16.

Strike: "construction"

Insert: "design"

8. Page 5, line 21.

Strike: "construction"

Insert: "design"

9. Page 8, line 9.

Strike: "Construction"
Insert: "Design"

10. Page 8, line 10.
Strike: "construction"
Insert: "design"

11. Page 8, line 12.
Following: "the"
Strike: "planning,"
Following: "design"
Strike: ", and actual construction"

12. Page 8, lines 18 and 19.
Strike: "construction or renovation"

13. Page 8, line 22.
Following: "commission"
Strike: "shall hire"
Insert: "may, to the extent possible, utilize the"
Following: "staff"
Insert: "of the board of crime control"

14. Page 11, line 18.
Strike: "construction"
Insert: "design"

15. Page 11, line 21.
Strike: "construction"
Insert: "design"

16. Page 12, line 9.
Following: "Initial"
Strike: "appointments"
Insert: "designations"

17. Page 12, line 11.
Following: "shall"
Strike: "appoint"
Insert: "designate"

18. Page 12, line 12.
Following: "be"
Strike: "appointed to"
Insert: "designated for"

19. Page 12, line 13.
Following: "be"
Strike: "appointed to"
Insert: "designated for"

20. Page 12, line 14.
Following: line 13
Insert: "Section 16. Section 2-15-2006, MCA, is amended to read:

"2-15-2006. Board of crime control — composition — allocation.
(1) There is a board of crime control.

(2) The board is allocated to the department for administrative purposes only as prescribed in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(3) The board is composed of 18 members appointed by the governor in accordance with subsections (4) and (5), 2-15-124, and any special requirements of Title I of the Omnibus Crime Control and Safe Streets Act, as amended. The board shall be representative of state and local law enforcement and criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, and public agencies maintaining programs to reduce and control crime and shall include representatives of citizens and professional and community organizations, including organizations directly related to delinquency prevention.

(4) Nine members of the board designated by the governor constitute the detention center standards commission provided for in [section 3]. The board members constituting the commission may be designated from recommendation lists containing at least three names from each of the following:

- (a) the Montana judges association;
- (b) the Montana sheriffs and peace officers association;
- (c) the Montana association of counties; and
- (d) the Montana county attorney association.

(5) The board members designated as the commission shall consist of:

- (a) one district judge;
- (b) one lower court judge;
- (c) one county attorney;
- (d) one county commissioner;
- (e) one sheriff;
- (f) one police chief;
- (g) one detention center administrator;
- (h) one representative of the corrections division of the department of institutions; and
- (i) one person representing the general public.

(6) Members designated as the detention center standards commission serve staggered 4-year terms. A member may serve during his appointed term only if he remains a member of the entity from which he was selected. If a vacancy occurs, a member must be designated to fill the unexpired term in compliance with the representational requirements of subsections (4) and (5). Members may continue to serve past the expiration of their terms until reappointed or replaced by the governor."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HJR 15, introduced bill, be amended as follows:

1. Page 2, lines 20 and 21.
Following: "1991,"

Insert: "plan and"
Following: "develop"
Strike: "and implement"

2. Page 2, line 22.

Following: "placements."

Insert: "The department shall implement the automated management information system by July 1, 1993."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/7/89

HB 101, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "WARRANTS ISSUED"

Insert: "PAYMENTS MADE"

2. Title, line 6.

Strike: "AND MAILED TO"

3. Title, line 7.

Strike: "AND"

4. Title, line 8.

Following: the first "OF"

Insert: "RECEIPT OR"

Strike: "WARRANT" through "ENTITY"

Insert: "PAYMENT; AND REQUIRING A COUNTY FINANCE OFFICER TO NOTIFY THE COUNTY CLERK AND RECORDER UPON RECEIPT OF A PAYMENT OR NOTICE"

5. Page 1, line 22.

Strike: "warrants issued"

Insert: "payments made"

Strike: "the"

Insert: "a"

Strike: "auditor"

Insert: "agency"

6. Page 1, line 25.

Strike: "warrant"

Insert: "payment"

7. Page 2, line 1.

Strike: "state auditor"

Insert: "finance officer"

8. Page 2, lines 2 and 3.

Strike: " , " on line 2 through " , " on line 3

9. Page 2, line 3.

Strike: "issuance"

Insert: "receipt"

Strike: "warrant"

Insert: "payment"

10. Page 2, line 5.

Strike: "warrant"

Insert: "payment"

11. Page 2, line 7.

Strike: "auditor"

Insert: "agency"

12. Page 2, line 8.

Strike: "of a warrant"

Strike: "auditor"

Insert: "agency"

13. Page 2, line 9.

Strike: "and mail"

Strike: "warrant"

Insert: "claim"

14. Page 2, line 10.

Strike: "auditor"

Insert: "agency"

15. Page 2, line 11.

Strike: "warrant"

Insert: "payment"

16. Page 2, line 12.

Strike: "warrant"

Insert: "payment"

Strike: "mailed"

Insert: "issued"

17. Page 2.

Following: line 12

Insert: "(4) If a finance officer of a county receives a payment under subsection (2) or a notice of issuance under subsection (3), he shall notify the county clerk and recorder that the payment or notice has been received."

And, as amended, do pass. Report adopted.

HB 171, introduced bill, be amended as follows:

1. Title, line 8.

Following: "13-13-117"

Insert: ", 13-14-116,"

2. Page 1, lines 13 and 14.

Strike: "Except" on line 13 through "(3), a" on line 14

Insert: "A"

3. Page 1, line 15.

Following: "election"

Insert: ", except a person seeking election as a precinct committee-man in a primary election,"

4. Page 1, line 20.

Strike: "The"

Insert: "Except as provided in subsection (2), the"

5. Page 2.

Following: line 5

Insert: "(2) A declaration of intent may be filed after the deadline provided for in subsection (1) but no later than 5 p.m. on the day before the election if, less than 15 days before the election, a candidate for the office that the write-in candidate is seeking:

(a) dies;

- (b) withdraws from the election; or
- (c) is charged with a felony offense.”

Renumber: subsequent subsections

6. Page 2, lines 12 through 14.

Strike: subsection (3) in its entirety

7. Page 4.

Following: line 1

Insert: “Section 3. Section 13-14-116, MCA, is amended to read:

“13-14-116. Counting and canvassing of nonpartisan ballots. (1) After closing the polls, the election officers shall separately count, canvass, record, and certify nonpartisan ballots, showing the number of votes cast for each person, except as provided in 13-15-202.

(2) Nonpartisan ballots, stubs, and unused ballots ~~shall~~ must be disposed of in the same manner as other ballots, stubs, and unused ballots. Returns ~~shall~~ must be made as provided by law.””

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 365, do pass. Report adopted.

HB 407, introduced bill, be amended as follows:

1. Title, line 7.

Following: “AND”

Insert: “CERTAIN”

2. Page 7, line 14.

Following: “year”

Insert: “that: (i)”

3. Page 7, line 15.

Following: the first “ballot”

Insert: “,”

Following: “or”

Insert: “(ii)”

Following: “issue”

Insert: “subject to a referendum submitted by the legislature or the people is or”

And, as amended, do pass. Report adopted.

HB 421, do pass. Report adopted.

HJR 16, introduced bill, be amended as follows:

1. Title, line 7.

Strike: “AN” through “BOARD”

Insert: “THE STATE”

Strike: “LICENSE”

Insert: “REGULATE OR CONTROL”

2. Page 2, line 3.

Strike: “an” through “board”

Insert: “the state”

3. Page 2, line 4.

Strike: “license and”

Following: “regulate”

Insert: “or control”

4. Page 2, line 5.

Strike: "such as"

Insert: "including but not limited to"

5. Page 2, lines 7 and 8.

Strike: "similar" on line 7 through "for" on line 8

Insert: "regulation or control of"

6. Page 2, line 8.

Strike: "exist"

Insert: "exists"

7. Page 2, line 9.

Strike: "boards"

Strike: "states"

8. Page 2, line 11.

Strike: "professional" through "and"

Insert: "state"

Following: "regulation"

Insert: "or control"

9. Page 2, line 21.

Strike: "licensing and"

Strike: "for"

Insert: "or control of"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 428, do not pass.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:30 p.m., Wednesday, February 8, 1989.

Motion carried.

House adjourned at 3:05 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 8, 1989

House Chambers
State Capitol

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Russell. Pledge of Allegiance to the Flag.

Roll call. All members present except Clark, Hanson, Harrington, and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-sixth, twenty-seventh, and twenty-eighth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/8/89

Correctly printed: HB 101, HB 171, HB 247, HB 282, HB 306, HB 341, HB 365, HB 374, HB 392, HB 398, HB 407, HB 421, HB 423, HB 429, HB 430, HB 431, HB 433, HB 455, HJR 15, HJR 16.

Correctly engrossed: HB 119, HB 209, HB 274, HB 278, HB 302, HB 308, HB 347, HB 389, HB 395, HB 402, HB 417.

APPROPRIATIONS (Bardanoue, Chairman):

2/7/89

HB 26, second reading copy, be amended as follows:

1. Page 2, line 17.

Following: "including"

Strike: from "units" on line 17 through "and" on line 18

2. Page 2, line 18.

Following: "centers"

Insert: "and those units of the Montana university system who so propose to join"

And, as amended, do pass. Report adopted.

HB 354, do pass. Report adopted.

Adverse Committee Report

HB 361, do not pass.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

2/7/89

HB 56, introduced bill, be amended as follows:

1. Title, line 5.

Following: "TO"

Insert: "DESIGN,"

Following: "ERECT"

Insert: ", AND MAINTAIN"

2. Title, line 6.

Following: the first "SIGNS;" on line 6

Insert: "PROVIDING CERTAIN EXCEPTIONS;"

3. Title, lines 7 and 8.

Strike: line 7 in its entirety through "MCA;" on line 8

Insert: "AUTHORIZING THE DEPARTMENT OF HIGHWAYS TO ACCEPT AND EXPEND MONEY FOR THE PURPOSE OF THIS ACT;"

4. Title, line 8.

Following: "AN"

Insert: "IMMEDIATE"

5. Title, line 9.

Strike: "AND A TERMINATION DATE"

6. Page 1, line 12.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Welcome and farewell signs — design, erection, maintenance — completion date — exceptions — use of existing signs. (1) (a) The department shall:

(i) design, erect, and maintain welcome and farewell signs within Montana at the nearest practical location to the border of the state where each federal-aid interstate highway, except interstate 90 at the Montana-Idaho border in Mineral County, and each federal-aid primary highway enters or leaves Montana;

(ii) select locations for the signs consistent with the requirements for public safety and maximum visibility and with all applicable provisions of federal law; and

(iii) subject to the exception in subsection (1)(a), complete the construction and erection of welcome and farewell signs:

(A) on the four interstate highways and on highway 212 in Carter County before July 1, 1991; and

(B) on the remainder of the primary highways at the earliest possible date.

(b) However, nothing in this subsection (1) prevents the department from constructing and erecting signs on the remaining primary highways before July 1, 1991.

(2) Except as provided in subsection (3), the welcome and farewell signs must be:

(a) (i) on the interstate system, approximately 20 feet high and 38 feet wide; and

(ii) on the primary system, approximately 8 feet high and 16 feet wide;

(b) of substantial timber and plank construction, similar to those shown in the design dated July 16, 1962, and formerly in use at Montana's borders, with the inscriptions:

(i) at each entrance to Montana:

"The Gate is Open
Welcome to
MONTANA"; and

(ii) at each exit from Montana:

“So Long!
Come Again to
MONTANA”.

(3) Notwithstanding the provisions of subsection (2), welcome or farewell signs in place on the interstate highway system on [the effective date of this act] and required to be replaced under the provisions of [this act] must be utilized at locations on the primary highway system as long as those signs remain serviceable. When those signs are no longer serviceable, they must be replaced on the primary systems with signs described in subsection (2).

NEW SECTION. Section 2. Department authorized to accept and expend funds for welcome and farewell signs. The department may accept money from other state agencies, federal agencies, or private persons for the purposes of [this act] and may expend the money received for those purposes.

NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 60, chapter 2, part 2, and the provisions of Title 60, chapter 2, part 2, apply to [sections 1 and 2].

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.”

And, as amended, do pass. Report adopted.

HB 165, introduced bill, be amended as follows:

1. Title, line 5.

Following: “REGISTRATION”

Insert: “, SPECIAL WEED CONTROL,”

2. Title, line 9.

Strike: “AND”

3. Title, line 10.

Following: “23-2-807,”

Insert: “AND 61-3-510,”

4. Page 2, line 23.

Strike: “and”

Insert: “or”

5. Page 5, line 8.

Strike: “10”

Insert: “12”

6. Page 5, line 16.

Following: line 15

Insert: “(3) To effect by operation of law a transfer of interest in an off-highway vehicle, the provisions of 61-3-201(3) are applicable.”

Renumber: subsequent subsections

7. Page 5, line 25.

Strike: “(5)”

Insert: “(6)”

8. Page 6, line 17.

Following: “section”

Strike: “10”

Insert: "12"

9. Page 6, lines 20 and 21.

Following: "ownership" on line 20

Strike: the remainder of line 20 through "justice" on line 21

10. Page 6, line 22.

Following: "owner"

Insert: "in accordance with the provisions of this part"

11. Page 7, lines 8 and 9.

Strike: "county treasurer"

Insert: "department of justice"

12. Page 7, line 15.

Following: "section"

Strike: "10"

Insert: "12"

13. Page 8, line 7.

Strike: "\$21"

Insert: "\$2"

14. Page 9, lines 18 and 19.

Strike: "fish, wildlife, and parks"

Insert: "justice"

15. Page 9, line 22.

Following: "(a)"

Insert: "(i)"

16. Page 9, line 23.

Following: "year."

Insert: "and"

17. Page 9, line 24.

Strike: "(b)(i)"

Insert: "(ii)"

18. Page 10, line 1.

Strike: "(ii)"

Insert: "(b)"

19. Page 10, line 5.

Following: "receipt,"

Strike: "and"

20. Page 10, line 6.

Following: line 5

Insert: "(c) the weed control fee provided for in 61-3-510; and"

Renumber: subsequent subsections

21. Page 10, line 13.

Following: "in"

Insert: "an interest-bearing account in"

22. Page 10, line 15.

Following: "parks"

Strike: ", and of which"

Insert: ". The decal fee and the interest and income to the account must be spent as follows"

23. Page 10, lines 18 through 21.

Following: "\$1" on line 18

Strike: the remainder of line 18, lines 19 and 20 in their entirety, and line 21 through "11]"

Insert: "must be spent to develop and implement a comprehensive program and to plan appropriate off-highway vehicle recreation use except that:

(i) no money may be spent for this purpose before January 1, 1991; and

(ii) evaluation for development of a program plan must begin January 1, 1991"

24. Page 10, line 22.

Following: line 21

Insert: "NEW SECTION. Section 8. Duplicate decal. If a decal required in [section 7] indicating that the off-highway vehicle fee has been paid for the current year is lost, mutilated, or becomes illegible, the person to whom it was issued shall immediately apply for and obtain a duplicate decal upon payment of a fee of \$5 to the county treasurer, who shall distribute the fee as provided in 23-2-804(3)."

Renumber: subsequent sections

25. Page 11, lines 9 through 11.

Following: "fine" on line 9

Strike: the remainder of line 9, the entirety of line 10, and through "year" on line 11

Insert: "of \$50"

26. Page 11, lines 14 and 15.

Following: "earmarked" on line 14

Strike: the remainder of line 14 through "to" on line 15

Insert: "account created under 23-2-804(3). This money and the interest earned on it must"

27. Page 11, line 17.

Following: line 16

Insert: "Section 11. Section 61-3-510, MCA, is amended to read:

"61-3-510. Weed control fee. (1) A special weed control fee of 50 cents must be assessed on the annual registration or reregistration of each motor vehicle subject to registration. The fee must be collected by the county treasurer.

(2) For purposes of this section, motor vehicle includes:

(a) motor vehicle as defined in 61-1-102;

(b) motorcycle as defined in 61-1-105;

(c) motor-driven cycle as defined in 61-1-106; and

(d) quadricycle as defined in 61-1-133; and

(e) off-highway vehicle as defined in 23-2-801.

(3) The following vehicles are exempt from the fee:

(a) vehicles owned or controlled by the United States or a state, county, or city;

(b) vehicles exempt from payment of registration fees by 61-3-321(7); and

(c) vehicles or equipment which is not self-propelled or which requires towing when moved upon a highway of this state.””

Renumber: subsequent sections

28. Page 11, line 18.

Following: “(1)”

Strike: “A”

Insert: “Unless the dealer is licensed under the provisions of 61-4-101,
a”

29. Page 12, line 13.

Following: “year,”

Insert: “or”

30. Page 12, line 20.

Following: “on”

Strike: “June 30”

Insert: “December 31”

31. Page 12, line 25 and page 13, line 1.

Following: “used” on page 12, line 25

Strike: the remainder of line 25 through “programs” on page 13, line
1

Insert: “by the department of justice for the administration of [this
act]”

32. Page 13, lines 3 through 5.

Following: “collected” on line 3

Strike: the remainder of line 3, the entirety of line 4, and through
“to” on line 5

Insert: “must be deposited in the account provided in 23-2-804(3).
This money and the interest earned on it must”

33. Page 13, line 7.

Strike: section 11 in its entirety

Renumber: subsequent sections

34. Page 13, line 25.

Strike: “10,”

Strike: “11”

Insert: “12”

35. Page 14, line 3.

Strike: “10,”

Strike: “11”

Insert: “12”

36. Page 14, line 4.

Following: line 3

Insert: “NEW SECTION. Section 16. Coordination instruction. If
House Bill No. 477, including amendments to 23-2-803 to require
deposit of a portion of the fee in lieu of tax on off-highway vehicles
in the noxious weed trust fund, is passed and approved, the following
provisions of [this act] are void:

(1) [section 12]; and

(2) those amendments to 23-2-804 relating to imposition of the
weed control fee on off-highway vehicles.”

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 467, do pass. Report adopted.

HJR 17, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

2/8/89

HB 244, introduced bill, be amended as follows:

1. Page 1.

Following: line 9

Insert:

"STATEMENT OF INTENT

House Bill No. 244 calls for shooting safety guidelines and minimum safety standards for shooting ranges. Guidelines are intended to be advisory only. Standards are intended to be obligatory.

The minimum safety standards may not be more restrictive than the minimum range safety standards adopted by the national rifle association of America."

2. Page 2, line 19 through page 3, line 6.

Following: "(1)"

Strike: the remainder of section 5 in its entirety

Insert: "Except as provided in subsection (2), an established shooting range may not be prevented from operation by any state agency, unit of local government, or court unless the range presents a clear and provable safety hazard to the adjacent population and also fails to meet the minimum range safety standards established by the fish and game commission.

(2) (a) If a pressing public need exists because of incompatibility with nearby population or nearby land use, an established shooting range may be relocated by an agency of state government, a unit of local government, or a court, but only if all of the following conditions are met:

(i) pressing public need is documented through hearings, testimony, and a clear and precise statement of such need by the agency, unit of local government, or court involved;

(ii) a suitable alternative site for the range is located and obtained by the agency, unit of local government, or court involved;

(iii) the agency, unit of local government, or court ordering relocation pays the entire cost of relocating the range, including replacement of improvements, to a reasonably suitable and reasonably similar facility and to a location that is a similar distance from the populations served by the original range; and

(iv) the maximum amount of time that a range may be out of operation because of such relocation is 6 months.

(b) Upon final relocation of a range pursuant to this section, the range operators shall relinquish their property interest in the previous location in favor of the relocating agency and must be granted by the relocating agency a property interest in the new location that is similar to that enjoyed by the range operators in the vacated location.

(3) (a) If a shooting range presents a clear and provable safety hazard to the adjacent population and if the range fails to meet the minimum range safety standards established by the fish and game commission, the range may be suspended from operation if:

(i) reasonable notice and an opportunity to respond and be heard is afforded to the range operators; and

(ii) reasonable opportunity is afforded to the range operators to correct safety defects and cause the range to meet the minimum range safety standards of the fish and game commission.

(b) If a shooting range is suspended from operation for reason of safety defects and if the range operators are able to obtain a current certificate of compliance from the fish and game commission, any order of an agency, unit of local government, or court to suspend range operation is vacated."

3. Page 7, lines 15 through 19.

Strike: "The" on line 15 through "hearing" on line 19

Insert: "The fish and game commission may adopt rules describing the attributes of shooting ranges, such as types of facilities, for the purpose of comparing one shooting range with another shooting range or proposed shooting range."

4. Page 7, lines 21 through 23.

Strike: "The" on line 21 through "America." on line 23

And, as amended, do pass. Report adopted.

HB 340, do pass. Report adopted.

HB 372, do pass. Report adopted.

HB 388, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "districts"

Insert: "in those areas of the county that are not within the limits of an incorporated city or town"

2. Page 1, line 21.

Following: "maintenance."

Insert: "The county surveyor must determine that it would be physically impractical to improve the road to standard county road specifications."

And, as amended, do pass. Report adopted.

HB 439, introduced bill, be amended as follows:

1. Page 1.

Following: line 22

Insert: "(3) A self-governing local government may adopt the local bid preference authorized by this section or it may adopt a different method for providing a local bid preference."

And, as amended, do pass. Report adopted.

HB 471, do pass. Report adopted.

Adverse Committee Reports

HB 410, do not pass.

HB 436, do not pass.

HB 460, introduced bill, be amended as follows:

1. Page 4, line 10.

Strike: "2 years"

Insert: "1 year"

And, as amended, do not pass.

NATURAL RESOURCES (Raney, Chairman):

2/7/89

HB 327, introduced bill, be amended as follows:

1. Title, line 7.

Following: "WHERE"

Insert: " , DUE TO LITIGATION, STATE COMPLIANCE WITH
THE MONTANA ENVIRONMENTAL POLICY ACT, OR
ADVERSE CONDITIONS CAUSED BY NATURAL OCCUR-
RENCES,"

2. Title, lines 8 and 9.

Following: "BEEN"

Strike: "THREATENED" on line 8 through "LITIGATION" on line
9

Insert: "PREVENTED OR THE LESSEE IS THREATENED
WITH SUBSTANTIAL ECONOMIC LOSS"

3. Page 2, line 8.

Following: "litigation"

Insert: "regarding the lease or another lease in the immediate area
held by the same lessee"

4. Page 2, lines 11 and 12.

Strike: "operating"

Following: "conditions"

Strike: "beyond" on line 11 through "lessee" on line 12

Insert: "caused by natural occurrences"

And, as amended, do pass. Report adopted.

HB 367, introduced bill, be amended as follows:

1. Page 1.

Following: line 12

Insert:

"STATEMENT OF INTENT

This bill would allow the department of natural resources and conservation to use funds in the water development special revenue account and water development general obligation bond proceeds to protect loans made under the water development private loan program.

The program has made approximately 55 loans totalling \$4 million to private individuals, primarily for irrigation projects. In the event that any lien holder or the department would have to foreclose on any of these loans, the department would need to be in a position to protect its security interests. These loans are primarily secured with real estate mortgages. In those instances where the department is not in first lien position and a foreclosure is necessary, the department would need funds to buy out the first lien holder to gain control of the property. The property would then be resold to recoup the funds used to buy out the first lien as well as the department's initial loan funds.

This bill would also allow the department to use these funds to operate a project if a loan should go into default. If the loan recipient should walk away from a project, the department may need to temporarily operate the project to secure its interests until foreclosure proceedings are complete. An example would be a hydropower

project that requires continual attention to guard against breakdown or damage.

This bill is intended to give the department access to funds that would be used to protect its security interests when other loan collection efforts have not worked. It is the intent of the legislature that every effort be made to avoid forced loan collections. It is further the intent of the legislature that any property acquired in the manner provided for in HB 367 be resold as expeditiously as possible to recover funds used under 85-1-65 and funds loaned to the borrower."

2. Page 9, line 4.

Strike: "and"

Insert: ","

3. Page 9, line 5.

Following: "operation"

Insert: "," and resale"

4. Page 10.

Following: line 13

Insert: "(3) Any property acquired under the provisions of this section must be resold as expeditiously as possible to recover funds used under this section and funds loaned to the borrower."

And, as amended, do pass. Report adopted.

HB 462, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "people,"

Insert: "health,"

2. Page 2, line 23.

Strike: "17"

Insert: "19"

3. Page 3, line 8.

Following: "of"

Insert: "hydroelectric"

4. Page 4, line 1.

Strike: "and"

5. Page 4, line 3.

Following: "service"

Insert: ","

(r) one ex officio member who is a representative of the United States soil conservation service; and

(s) one ex officio member who is a representative of a conservation district"

6. Page 4, line 24.

Strike: "coordinate"

Insert: "review"

7. Page 5, line 3.

Strike: "set"

Insert: "recommend"

8. Page 6, line 13.

Strike: "apply to"
Insert: "request that"
Strike: "for appointment of"
Insert: "appoint"

9. Page 6, line 14.

Strike: "commissioner"
Insert: "mediator"
Strike: "[section 3] of _____ Bill No. _____"
Insert: "[section 1] of House Bill No. 463 (second reading copy)"

And, as amended, do pass. Report adopted.

HB 463, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "COMMISSIONER"
Insert: "MEDIATOR"

2. Title, line 6.

Strike: "DECREED OR"

3. Title, lines 6 through 12.

Following: "BASIN;" on line 6

Strike: remainder of line 6 through "COMMISSIONER;" on line 12

4. Title, line 13.

Following: "COMMISSIONERS"

Insert: "AND MEDIATORS"

5. Title, lines 14 through 16.

Following: "APPROPRIATION;" on line 14

Strike: remainder of line 14 through "MCA;" on line 16

6. Page 1, line 19 through page 12, line 4.

Strike: sections 1 through 8 in their entirety

Insert: "NEW SECTION. Section 1. Appointment of water mediators
— duties.

(1) The judge of the district court may appoint a water mediator to mediate a water controversy in a nondecreed basin under the following circumstances:

(a) upon request of the governor;

(b) upon petition by at least 15% of the owners of water rights in a nondecreed basin; or

(c) upon petition by a state agency with water-related interests.

(2) A water mediator appointed under this section may:

(a) discuss proposed solutions to a water controversy with affected water right holders;

(b) discuss water use and water needs with persons and entities affected by the existing water use;

(c) meet with principal parties to mediate differences over the use of water; and

(d) hold public meetings and conferences to discuss and negotiate potential solutions to controversies over use of water.

(3) If the governor requests or a state agency petitions for a water mediator, the governor or agency shall pay all or a majority of the costs of the water mediator, as determined equitable by the district court having jurisdiction.

(4) The governor may use funds appropriated under 10-3-312 to pay the costs of a water mediator."

Renumber: subsequent sections

7. Page 12, line 5.

Following: "commissioner"

Insert: "and mediator"

8. Page 12, line 11.

Following: "commissioners"

Insert: "and mediators"

9. Page 12, line 12.

Following: "commissioner"

Insert: "and mediator"

10. Page 12, line 15.

Following: "commissioner"

Insert: "and mediator"

11. Page 12, line 17.

Following: "commissioners"

Insert: "or mediators"

12. Page 12, lines 18 through 23.

Following: "(1)"

Strike: the remainder of line 18 through "(2)" on line 23

13. Page 13, line 2.

Following: "commissioners"

Insert: "and mediators"

14. Page 13, line 3.

Strike: "(3)"

Insert: "(2)"

Strike: "funding"

Insert: "\$10,000"

15. Page 13, line 5.

Strike: "or (2)"

16. Page 13, lines 6 and 7.

Strike: "any" on line 6 through "funding" on line 7

Insert: "an amount of money equal to the difference between \$10,000 and the money received by the department from the water development special revenue account under subsection (1)"

17. Page 13, line 9.

Following: line 8

Strike: "[Section 9]"

Insert: "[Sections 1 and 2]"

Strike: "is"

Insert: "are"

18. Page 13, line 11.

Strike: "[section 9]"

Insert: "[sections 1 and 2]"

And, as amended, do pass. Report adopted.

HB 484, do pass. Report adopted.

TAXATION (Harrington, Chairman):

2/7/89

Adverse Committee Report

HB 208, do not pass.

Representative Knapp excused at this time.

Representative Harrington present at this time.

ADVERSE COMMITTEE REPORT

HB 428 - Representative J. Brown moved the 2/7/89 adverse committee report on **HB 428** be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Good, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Aafedt, Boharski, Campbell, Giacometto, Gilbert, Glaser, Guthrie, Hannah, Hoffman, Keller, R. Nelson, Pavlovich, Phillips, Roth, Simpkins, Swift, Swysgood, Thoft, Wallin.

Total 19

Excused: Clark, Hanson, Knapp, Moore.

Total 4

Absent or not voting: None.

Total 0

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/7/89

SB 48, introduced by Pipinich

SB 84, introduced by Vaughn

SB 222, introduced by Tveit

SB 229, introduced by Boylan

SB 258, introduced by Pinsoneault

SB 300, introduced by Aklestad

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 596, introduced by Grinde, referred to Committee on Highways and Transportation

HB 597, introduced by Darko, Schye, referred to Committee on Education and Cultural Resources

- HB 598**, introduced by Strizich (by request of the Board of Crime Control), referred to Committee on Judiciary
- HB 599**, introduced by Brooke, Thayer, Wallin, Connelly, Moore, Spaeth, Grady, Vincent, Harper, Addy, Ream, Squires, Harrington, O'Connell, Wyatt, McCormick, McDonough, Peck, Koehnke, Davis, Kilpatrick, referred to Committee on State Administration
- HB 601**, introduced by O'Keefe, Gage, Harp, Halligan, Raney, Ream, Walker, O'Connell, Westlake, Campbell, Patterson, Driscoll, Lynch, Koehnke, Iverson, Jenkins, Cohen, J. Brown, Wyatt, Abrams, Strizich, Nisbet, Bachini, Rehberg, Glaser, Jergeson, Stang, Rapp-Svrcek, Gilbert, Johnson, Elliott, Harper, Cody, Stepler, Schye, DeBruycker, Kadas, Spaeth, Gervais, Cocchiarella, Darko, Kimberley, Pavlovich, Blotkamp, Davis, McDonough, Moore, Bardanouve, Squires, Bishop, DeMars, Addy, Thoft, Mazurek, Vincent, Quilici, Peck, Bradley, D. Brown, Ramirez, Mercer, Grady, Menahan, Daily, Russell, McCormick, Brooke, Giacometto (by request of the Department of Natural Resources and Conservation and the Department of Health and Environmental Sciences), referred to Committee on Natural Resources
- HB 602**, introduced by Roth, referred to Committee on Highways and Transportation
- HB 603**, introduced by Raney, Harp, Stang, Gilbert, Eck, Cohen, Driscoll, Patterson, Pavlovich, Guthrie, Wallin, Halligan, Squires, Spaeth, Pinsoneault, B. Brown, Mazurek, Meyer, Hager, Manning, Beck, Bengtson, Darko, McDonough, Swysgood, Jacobson, O'Keefe, Harper, Schye, Grady, DeMars, Grinde, Strizich, Daily, Spring, Thomas, Mercer, Addy, Vincent referred to Committee on Taxation
- HB 604**, introduced by O'Connell, Driscoll, Ream, Wyatt, Walker, Lynch, Strizich, Nisbet, J. Brown, Pavlovich, McCormick, Bachini, Squires, McDonough, Connelly, Cocchiarella, Koehnke, Davis, Brooke, Moore, Hansen, Russell, Stickney, Kilpatrick, Whalen, Gervais, DeMars, Johnson, Quilici, Menahan, Schye, Darko, Raney, L. Nelson, Harper, Stepler, Manning, Jacobson, Pipinich, Hoffman, O'Keefe referred to Committee on State Administration
- HB 605**, introduced by Grady, Bengtson, Giacometto, Rapp-Svrcek, Hayne, Rasmussen, referred to Committee on Taxation
- HB 606**, introduced by Grady, Bradley, B. Brown, Blaylock, Hannah, Spaeth, D. Brown, Raney, McDonough, Addy, Iverson, referred to Committee on Judiciary
- HB 607**, introduced by Hannah, referred to Committee on Taxation
- HB 608**, introduced by Whalen, Cohen, Regan, McDonough, Driscoll, Gervais, Squires, O'Keefe, Harper, Raney, Ream, Russell, referred to Committee on Natural Resources
- HJR 19**, introduced by Thomas, Marks, Kasten, Hoffman, Clark, Zook, referred to Committee on State Administration
- HJR 20**, introduced by Spaeth, referred to Committee on Education and Cultural Resources

MOTIONS

Representative Stang moved HB 119 be taken from second reading this legislative day and referred to third reading the 34th legislative day. Motion carried.

Representative Pavlovich moved HB 238 be taken from second reading this legislative day and rereferred to the Committee on Business and Economic Development. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Kadas in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 177 - Representative J. Brown moved HB 177 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Brooke, Cocchiarella, Driscoll, Harrington, Iverson, McDonough, Menahan, Mercer, Peck, Ream, Squires, Stang, Stepler, Whalen.
Total 14

Excused: Clark, Hanson, Knapp, Moore.
Total 4

Absent or not voting: D. Brown, Cohen.
Total 2

HB 185 - Representative Whalen moved HB 185 do pass.

Representative Roth made a substitute motion HB 185 be placed at the bottom of the second reading board. Motion failed.

Thereupon, HB 185 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Hayne, Owens, Smith.
Total 3

Excused: Clark, Hanson, Knapp, Moore.
Total 4

Absent or not voting: Cody, Marks.

Total 2

Representative Hanson present at this time.

HB 197 - Representative Addy moved HB 197 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Campbell, Cody, Good, Grinde, Guthrie, Hayne, Mercer, Swysgood, Thoft, Thomas.

Total 10

Excused: Clark, Knapp, Moore.

Total 3

Absent or not voting: Cocchiarella.

Total 1

Representatives Clark and Knapp present at this time.

HB 204 - Representative Cobb moved HB 204 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 92

Noes: Aafedt, Connelly, Gervais, Russell, Whalen, Wyatt.

Total 6

Excused: Moore.

Total 1

Absent or not voting: O'Keefe.

Total 1

HB 264 - Representative Driscoll moved HB 264, second reading copy, be amended. Amendment failed. (46-53)

Representative Moore present at this time.

Representative Addy moved HB 264, second reading copy, be amended as follows:

1. Page 2, line 12.

Following: "A PERSON PARTICIPATING IN A COUNTY JAIL WORK PROGRAM MAY NOT"

Strike: the remainder of the subsection in its entirety

Insert: ":

- (a) have his labor or other work contracted out to a private party;
 - (b) be required to do labor or other work that furthers the private interests of a government employee or official;
 - (c) be permitted or required to do labor or other work that relates to anything other than public projects, public services, or other public matters;
 - (d) be used to displace any regular county employee;
 - (e) perform the duties of any vacant county position; or
 - (f) work on any construction or reconstruction project.
- (2) No county may reduce its current workforce in order to transfer the duties of such a reduction to persons participating in a county jail work program."

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connolly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Campbell, Giacometto, Gilbert, Grinde, Guthrie, Phillips, Swysgood, Thoft.

Total 9

Excused: None.

Total 0

Absent or not voting: Simon.

Total 1

Representative Hannah moved HB 264, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Campbell, Cobb, Cohen, Compton, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Marks, Mercer, Moore, R. Nelson, T. Nelson, Owens,

Peterson, Phillips, Raney, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt.

Total 60

Noes: Bachini, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, Driscoll, Grady, Grinde, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Lee, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ramirez, Ream, Russell, Schye, Spaeth, Squires, Whalen, Zook, Mr. Speaker.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kadas moved the adoption of the committee report. Report adopted. (91-6)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 35 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Moore.

Total 1

HB 207 passed as follows:

Ayes: Aafedt, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Davis, DeMars, Driscoll, Eudaily, Gervais, Giacometto, Gould, Grady, Guthrie, Hansen, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Mercer, Moore, T. Nelson, Nisbet,

O'Connell, O'Keefe, Owens, Peterson, Phillips, Rehberg, Roth, Russell, Schye, Simpkins, Smith, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Addy, Bardanoue, Boharski, Clark, Cobb, Cohen, Daily, Darko, DeBruycker, Elliott, Ellison, Gilbert, Glaser, Good, Grinde, Hannah, Hanson, Harper, Kadas, Kasten, Lee, Marks, L. Nelson, R. Nelson, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rice, Simon, Spaeth, Spring, Squires, Stepler, Wallin, Zook.
Total 39

Excused: None.
Total 0

Absent or not voting: McCormick.
Total 1

HB 368 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Campbell, Pavlovich, Whalen.
Total 3

Excused: None.
Total 0

Absent or not voting: Squires.
Total 1

HB 391 passed as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Grady, Guthrie, Hannah, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Aafedt, Boharski, Clark, Cobb, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Hayne, Lee, Marks, T. Nelson, Owens, Patterson, Peterson, Rehberg, Roth, Simpkins, Smith, Wallin.
Total 24

Excused: None.

Total 0

Absent or not voting: Hansen, Phillips.

Total 2

HB 406 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Clark, Squires.

Total 2

HB 409 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Hayne.

Total 1

Excused: None.

Total 0

Absent or not voting: T. Nelson.

Total 1

HB 413 failed as follows:

Ayes: Aafedt, Addy, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Connelly, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily,

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Giacometto, Guthrie, Hansen, Harrington, Hoffman, Johnson, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Connell, Owens, Peterson, Phillips, Rice, Schye, Simpkins, Spaeth, Spring, Squires, Stickney, Swift, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 49

Noes: Bachini, Bardanouve, Blotkamp, Boharski, Brooke, Clark, Cocchiarella, Cohen, Compton, Daily, Darko, Driscoll, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Iverson, Kadas, Kasten, Kilpatrick, Kimberley, McDonough, Moore, T. Nelson, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Simon, Smith, Stang, Stepler, Strizich, Swysgood, Thoft, Whalen, Wyatt.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 416 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Blotkamp, Cobb, Cohen, Driscoll, Kasten, Raney, Stepler, Whalen.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 448 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift,

Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Daily.

Total 1

Excused: None.

Total 0

Absent or not voting: Quilici, Roth.

Total 2

HB 466 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 96

Noes: Cobb, Gervais.

Total 2

Excused: None.

Total 0

Absent or not voting: Pavlovich, Zook.

Total 2

HB 37, Senate amendments, concurred in as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Boharski, D. Brown, Glaser.

Total 3

Excused: None.

Total 0

Absent or not voting: Grinde.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/8/89

Correctly printed: HB 467, HB 484, HJR 17.

Correctly enrolled: HB 34.

Examined by the sponsor and found to be correct: 2/7/89

HB 34 - Harrington

Signed by the Speaker at 2:30 p.m., 2/8/89: HB 34.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/8/89

HB 151, introduced bill, be amended as follows:

1. Page 2, line 14.

Following: line 13

Insert: "(7) "Community advisory board" means a group of citizens to advise the management of a branch bank, a majority of whom must be residents of the county in which the branch bank is located."

Renumber: subsequent subsections

2. Page 6, line 6.

Following: line 5

Insert: "(c) Two or more banks under common ownership may not consolidate or merge unless all banks under the common ownership are parties to the consolidation or merger."

3. Page 7, line 7.

Strike: "Any service that may be"

Insert: "A branch bank must offer all services"

4. Page 7, lines 7 and 8.

Following: "offered" on line 7

Strike: remainder of line 7 through "conducted" on line 8

5. Page 7, lines 8 and 9.

Following: "house" on line 8

Strike: remainder of line 8 through "bank" on line 9

6. Page 9, line 21.

Following: "bank"

Insert: ", other than a bank owned by a holding company not located in Montana,"

7. Page 9, lines 22 and 23.

Strike: "in any county if the branch bank is to be established"

8. Page 10, line 1.

Strike: "or"

Insert: "and"

9. Page 10, line 9.

Following: "authority."

Strike: remainder of line 9 through 12 in their entirety and through "or" on line 13

Insert: "Nothing in this subsection allows a bank owned by a holding company not located in this state to acquire an interest in a bank in contravention of"

10. Page 10, line 15.

Following: line 14

Insert: "(6) A branch bank must have a community advisory board."

And, as amended, do pass. Report adopted.

HB 191, introduced bill, be amended as follows:

1. Title, line 4.

Following: "EXTENDING"

Insert: "THE FUNCTIONS OF AND"

2. Title, line 8.

Following: "32-1-372,"

Insert: "32-2-111,"

3. Page 1, line 23.

Following: line 22

Insert:

"STATEMENT OF INTENT"

A statement of intent is required for this bill because it allows the department of commerce to adopt rules defining the scope of services that banks and state-chartered thrift institutions may offer in extended teller facilities a number of miles from the main banking house. The intention of the legislature is that the department's rules confine the services allowed at extended teller facilities to those normally conducted at teller windows in the main banking house. The legislature intends, however, that the department be cognizant of modern communications technology, such as facsimile transmission and modem-linked computers, in defining what is normal and usual at a teller window. The department shall acknowledge that a teller is able to communicate with a bank officer and gain electronic authorization to open accounts, issue checks for approved loans, and perform other similar duties."

4. Page 3, lines 14 and 15.

Following: "maintain" on line 14

Strike: "a detached drive-in or walk-up"

Insert: "an extended teller"

5. Page 3, lines 20 and 21.

Following: "of the" on line 20

Strike: "detached drive-in or walk-up"

Insert: "extended teller"

6. Page 4, line 2.

Following: "department"

Insert: "or from an agency of the federal government"

7. Page 5, line 9.

Following: line 8

Insert: "(b) "Extended teller facility" means an office of a bank physically separate from the premises of the main banking house in which the bank may transact any business allowed in a detached drive-in or walk-up facility and any additional business that the department may by rule authorize, but the department may not authorize a bank to place safe deposit boxes in an extended teller facility or to assign account numbers or to open escrow accounts in those facilities."

Renumber: subsequent subsections

8. Page 5, line 9.

Strike: "an"
Insert: "the principal"

9. Page 5, line 10.
Following: "where"
Strike: "a majority"
Insert: "at least two"

10. Page 5, line 21.
Following: "institution"
Insert: ", or because of the domicile of the directors of the bank"

11. Page 6, line 24.
Following: "of"
Strike: remainder of line 24
Insert: "an extended teller"

12. Page 6, line 25.
Following: "branching"
Insert: "and is permitted"

13. Page 7, line 7.
Following: line 6
Insert: "Section 3. Section 32-2-111, MCA, is amended to read:

"32-2-111. Equality of rights. With the approval of the department, a building and loan association chartered pursuant to the laws of this state may exercise or possess any right, power, privilege, benefit, immunity, or exemption, other than those limited under 32-2-271, possessed by a federal savings and loan association doing business in this state that is now provided or that may be provided after April 29, 1981, by the laws of the United States or regulations of the federal home loan bank board. This grant is in addition to grants provided in and takes priority over any statute of this state other than 32-2-271. The department may exercise the discretion granted in this section by issuance of a special order upon written request from any state-chartered building and loan association with respect to any particular item and may grant such request upon such conditions as it ~~shall determine~~ determines are in the best interest of the members or depositors of the association and of the general public. The department shall require any state-chartered building and loan association seeking such special orders to obtain and maintain insurance of accounts acceptable to the department, excluding alien insurers."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 300, introduced bill, be amended as follows:

1. Title, line 11.
Following: "TAX"
Insert: "PERMANENT TRUST ALLOCATION"

2. Title, line 12.
Strike: "BONDING"
Insert: "DEVELOPMENT"

3. Title, lines 12 through 14.
Following: "PROGRAM" on line 12
Strike: the remainder of line 12, line 13 in its entirety, and through "MONTANA" on line 14

Insert: "UTILIZING IN-STATE INVESTMENT FUNDS TO
STIMULATE MONTANA'S ECONOMIC GROWTH"

4. Title, line 15.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

5. Page 2, line 19.

Strike: "bonding"

6. Page 2, line 23.

Strike: "bonding"

7. Page 2, line 25.

Strike: "bonding"

8. Page 8, line 3.

Strike: "Bonding"

Insert: "Investment"

9. Page 8, lines 4 and 5.

Strike: "bonding" on line 4

Following: "programs" on line 4

Strike: the remainder of line 4 through "million," on line 5

10. Page 8, lines 5 through 7.

Following: "using" on line 5

Strike: the remainder of line 5 through "programs" on line 7

Insert: "a portion of the funds invested under 17-6-305. The activities
funded under [this section]"

11. Page 8, line 7.

Following: "must"

Insert: "stimulate the economic growth of Montana and must"

12. Page 8, line 8.

Strike: "bonding"

13. Page 8, line 12.

Strike: "bonding"

14. Page 8, line 14.

Strike: "bonding"

15. Page 8, line 16.

Following: "date" on line 16

Insert: "— termination date"

16. Page 8, lines 16 and 17.

Following: "." on line 16

Strike: the remainder of line 16 through "[this" on line 17

Insert: "[This"

17. Page 8, line 17.

Strike: "1991"

Insert: "1989, and terminates July 1, 1993"

18. Page 8, line 18, through page 9, line 1.

Strike: section 7 in its entirety

And, as amended, do pass. Report adopted.

HB 483, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "development,"

Insert: "construction, improvement, maintenance, equipment, operation,"

2. Page 4, line 19 through page 5, line 4.

Following: "state," on line 19

Strike: the remainder of subsection (7) in its entirety

3. Page 7.

Following: line 17

Insert: "(6) Nothing in this section or 7-14-1134 may be construed to limit the use of port authority revenues, including federal and state money as described in 7-14-1136, to make grants and loans or to otherwise provide financial and other support to organizations, including corporations organized under the provisions of the development corporation act in Title 32, chapter 4. Under no circumstances may the credit of the state, county, or municipal governments or their agencies or authorities be pledged to provide financial support to such development organizations."

4. Page 7.

Following: line 22

Strike: "of the"

Insert: "thereof, including"

Following: "property"

Insert: "acquired"

Strike: "the authority has"

And, as amended, do pass. Report adopted.

HB 550, do pass. Report adopted.

HB 570, do pass. Report adopted.

Adverse Committee Report

HB 556, do not pass.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

2/8/89

HB 394, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Strike: "DIVISION OF MOTOR VEHICLES"

Insert: "DEPARTMENT OF JUSTICE"

And, as amended, do pass. Report adopted.

HB 419, introduced bill, be amended as follows:

1. Title, line 6.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, line 9.

Strike: "must"

Insert: "may"

3. Page 2, line 20.

Strike: "120"

Insert: "114"

4. Page 3, line 5.

Following: line 4

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

2/8/89

HB 443, do pass. Report adopted.

HB 470, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 2/8/89

HB 339, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Following: "LIMIT"

Strike: "ON SUCH SERVICES"

Insert: "BASED ON ACTUAL REASONABLE AND NECESSARY CHARGES INCURRED"

2. Page 3, lines 16 and 17.

Following: "(a)"

Strike: the remainder of line 16 through "insurer" on line 17

Insert: "the insurer receives constructive notice from the claimant or his representative"

3. Page 4, lines 6 and 7.

Following: "incurred" on line 6

Strike: "," through "month" on line 7

And, as amended, do pass. Report adopted.

HB 532, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/8/89

HB 325, introduced bill, be amended as follows:

1. Page 2, line 24.

Strike: "and"

Insert: ","

Following: "agencies"

Insert: ", and offices of the law enforcement services division and motor vehicle division of the department of justice"

And, as amended, do pass. Report adopted.

HB 487, introduced bill, be amended as follows:

1. Page 3, line 3.

Following: "state"

Insert: "in consultation with the state records committee provided for in 2-15-1013"

And, as amended, do pass. Report adopted.

MOTIONS

Representative D. Brown moved the House reconsider its action on HB 413 taken on third reading this legislative day. Motion carried.

Representative D. Brown moved HB 413 be taken from third reading and rereferred to the Committee on Natural Resources. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:30 p.m., Thursday, February 9, 1989.

Motion carried.

House adjourned at 3:05 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 9, 1989

House Chambers
State Capitol

House convened at 12:30 p.m., Mr. Speaker in the Chair. Invocation by Representative Brooke. Pledge of Allegiance to the Flag.

Roll call. All members present except Harrington and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-ninth and thirtieth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/9/89

Correctly printed: HB 26, HB 56, HB 151, HB 165, HB 191, HB 244, HB 300, HB 325, HB 327, HB 339, HB 340, HB 354, HB 367, HB 372, HB 388, HB 394, HB 419, HB 439, HB 443, HB 462, HB 463, HB 470, HB 471, HB 483, HB 487, HB 532, HB 550, HB 570.

Correctly engrossed: HB 177, HB 185, HB 197, HB 204, HB 264.

Delivered to the Governor for his approval at 10:55 a.m., 2/9/89: HB 34.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/9/89

HB 20, introduced bill, be amended as follows:

1. Title, line 5.

Following: "ESTABLISH"

Insert: "OR SHALL MAKE AVAILABLE"

2. Page 1, line 13.

Following: "establish"

Insert: "or shall make available"

3. Page 2, line 7.

Following: line 6

Insert: "NEW SECTION. Section 2. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act]."

And, as amended, do pass. Report adopted.

HB 335, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "free"

Insert: "incidental and registration"

And, as amended, do pass. Report adopted.

HB 344, introduced bill, be amended as follows:

1. Page 4, line 24.

Following: line 23

Insert: "NEW SECTION. Section 4. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act]."

And, as amended, do pass. Report adopted.

HB 346, do pass. Report adopted.

HB 400, introduced bill, be amended as follows:

1. Page 2, line 9.

Following: "(3)"

Insert: "(a)"

2. Page 2, line 10.

Following: "exceed"

Strike: "\$10,000"

Insert: "the following amounts"

3. Page 2, line 13.

Following: "district"

Strike: "."

Insert: ":"

(i) for a first-class high school district, \$20,000;

(ii) for a second-class high school district, \$10,000; and

(iii) for a third-class high school district, \$5,000.

(b)"

4. Page 2, line 15.

Strike: "\$5,000"

Insert: "the following amount"

Following: "fund"

Strike: "."

Insert: ":"

(i) for a first-class high school district, \$10,000;

(ii) for a second-class high school district, \$5,000; and

(iii) for a third-class high school district, \$2,500.

(4)"

5. Page 2, line 24.

Strike: "Two"

Insert: "The following number of"

6. Page 2, line 25.

Following: "1990-91"

Insert: ":"

(a) for a first-class high school district, four scholarships;

(b) for a second-class high school district, two scholarships; and

(c) for a third-class high school district, one scholarship"

7. Page 3, line 17.

Strike: "\$1,800,000"

Insert: "\$1,515,000"

And, as amended, do pass. Report adopted.

HB 432, do pass. Report adopted.

HB 481, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

2/9/89

HB 378, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND REHABILITATE"

2. Page 3, lines 4 and 5.

Strike: "and rehabilitate"

3. Page 3, line 8.

Following: "substance."

Insert: "The program must provide assistance to licensees in seeking treatment for substance abuse and monitor their efforts toward rehabilitation."

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORTS

HB 208 - Representative Harper moved the 2/7/89 adverse committee report on HB 208 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Compton, Connelly, Darko, DeBruycker, DeMars, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Bardanoue, Bradley, Cobb, Cohen, Daily, Driscoll, Elliott, O'Keefe, Raney, Schye, Squires, Whalen.
Total 12

Excused: Harrington, Moore.
Total 2

Absent or not voting: Cocchiarella, Davis, Koehnke, Menahan, Roth.
Total 5

Representatives Harrington and Moore present at this time.

HB 361 - Representative Bardanoue moved the 2/7/89 adverse committee report on HB 361 be adopted.

Representative Spaeth made a substitute motion the adverse committee report not be adopted and HB 361 be rereferred to the Committee on Appropriations. Motion failed as follows:

Ayes: Aafedt, Addy, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Grady, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 52

Noes: Bachini, Bardanoue, Blotkamp, Boharski, D. Brown, Campbell, Clark, Cobb, Cody, Connelly, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne,

Kasten, Keller, Knapp, Lee, Mercer, R. Nelson, T. Nelson, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swysgood, Thoft, Thomas, Zook.

Total 46

Excused: None.

Total 0

Absent or not voting: Hansen, Marks.

Total 2

Thereupon, the adverse committee report was adopted as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Iverson, Kasten, Keller, Kimberley, Knapp, Lee, Marks, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Spring, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 60

Noes: Addy, Bradley, Cocchiarella, Cohen, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Grady, Harper, Harrington, Hoffman, Johnson, Kadas, Kilpatrick, Koehnke, McCormick, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, Schye, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Westlake, Whalen.

Total 38

Excused: None.

Total 0

Absent or not voting: Connelly, Hansen.

Total 2

HB 410 - Representative Darko moved the 2/8/89 adverse committee report on HB 410 be adopted. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Campbell, Cody, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peck, Peterson, Phillips, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Wallin, Wyatt, Zook.

Total 52

Noes: Addy, Bardanouve, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Eudaily, Gervais, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Thomas, Westlake, Whalen, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: Davis.

Total 1

Representative Grinde excused at this time.

HB 436 - Representative Darko moved the 2/8/89 adverse committee report on HB 436 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Glaser, Good, Grady, Hannah, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thofo, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Campbell, Clark, Cobb, Daily, DeBruycker, Giacometto, Gilbert, Gould, Guthrie, Hayne, Keller, O'Connell, Owens, Patterson, Pavlovich, Peterson, Smith, Stang.

Total 18

Excused: Grinde.

Total 1

Absent or not voting: DeMars, Gervais, Harrington.

Total 3

HB 460 - Representative Darko moved the 2/8/89 adverse committee report on HB 460 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Grady, Hannah, Hansen, Harper, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Phillips, Ramirez, Raney, Ream, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thofo, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 67

Noes: Bachini, Campbell, Clark, Compton, DeBruycker, Driscoll, Giacometto, Gilbert, Gould, Guthrie, Hanson, Hayne, Kasten, Keller, Menahan, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Quilici, Rehberg, Rice, Simpkins, Smith, Spring, Thomas, Wallin, Zook.

Total 31

Excused: Grinde.

Total 1

Absent or not voting: Harrington.

Total 1

HB 556 - Representative Pavlovich moved the 2/8/89 adverse committee report on HB 556 be adopted. Motion carried as follows:

Ayes: Aafedt, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Cody, Compton, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet,

O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spring, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 66

Noes: Addy, Bachini, Bardanouve, Brooke, D. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Gervais, Hansen, Johnson, Kadas, Kilpatrick, McCormick, McDonough, Menahan, Moore, Peck, Raney, Ream, Russell, Spaeth, Squires, Stang, Whalen, Wyatt, Mr. Speaker.

Total 33

Excused: Grinde.

Total 1

Absent or not voting: None.

Total 0

MESSAGES FROM THE SENATE

House bill not concurred in and returned to the House: 2/8/89

HB 25, introduced by O'Keefe

Senate bills passed and transmitted to the House for concurrence: 2/8/89

SB 40, introduced by Keating

SB 94, introduced by Bengtson

SB 123, introduced by Beck

SB 164, introduced by Rasmussen

SB 202, introduced by Thayer

SB 209, introduced by B. Brown

Senate bill requested to be returned to the Senate for further consideration:

2/8/89

SB 100, introduced by Aklestad

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 609, introduced by Cohen, Harper, Hannah, Grady, Spaeth, Yellowtail, Halligan, referred to Committee on Natural Resources

HB 610, introduced by Cobb, referred to Committee on Rules

HB 611, introduced by Connelly, Smith, Owens, Manning, Walker, referred to Committee on Business and Economic Development

HB 612, introduced by Thomas, referred to Committee on State Administration

HB 613, introduced by Menahan, Blotkamp, Pavlovich, referred to Committee on Business and Economic Development

HB 614, introduced by Wyatt, Van Valkenburg, Cocchiarella, Lynch, Walker, Grady, Gould, Peck, Harrington, Menahan, Pavlovich, Driscoll, Bradley, Marks, O'Connell, McDonough, Squires, Kadas, McCormick, Bachini, Vincent, referred to Committee on Human Services and Aging

HB 615, introduced by Raney, Stang, B. Brown, referred to Committee on State Administration

HB 616, introduced by DeMars, Williams, Weeding, L. Nelson, Westlake, Jenkins, D. Brown, Strizich, Gervais, Cody, Stepler,

DeBruycker, Patterson, Compton, Harper, Spaeth, Schye, Whalen, Pavlovich, Russell, referred to Committee on Agriculture, Livestock, and Irrigation

HB 617, introduced by Kadas, referred to Committee on Business and Economic Development

HB 618, introduced by Schye, Peck, Harrington, Darko, Cody, Kadas, Raney, Spaeth, Addy, Nisbet, Stang, J. Brown, Bradley, Whalen, Kimberley, McDonough, O'Keefe, Daily, Menahan, Cohen, Davis, Wyatt, Squires, Vincent, Pavlovich, Johnson, referred to Committee on Education and Cultural Resources

HB 619, introduced by Bardanouve (by request of the Office of Budget and Program Planning), referred to Committee on Appropriations

HB 620, introduced by Vincent, Elliott, referred to Committee on State Administration

HB 621, introduced by T. Nelson, referred to Committee on Judiciary

HJR 21, introduced by Spaeth, Stickney, Grady, Pavlovich, Daily, Kilpatrick, O'Keefe, Vincent, Kasten, Zook, J. Brown, referred to Committee on Appropriations

HJR 22, introduced by Ream, Glaser, O'Keefe, Hannah, Westlake, Ramirez, Harper, Spaeth, Iverson, Schye, Bardanouve, Giacometto, Yellowtail, Crippen, Bengtson, Blaylock, referred to Committee on Agriculture, Livestock, and Irrigation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Simon in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives DeBruycker and Harrington excused at this time.

HB 101 - Representative Daily moved HB 101 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.

Total 0

Excused: DeBruycker, Grinde, Harrington.

Total 3

Absent or not voting: Simon.

Total 1

Representative Hannah excused at this time.

HB 171 - Representative Swift moved HB 171, second reading copy, be amended as follows:

1. Page 5, line 6.

Following: "1"

Insert: ", except for write-in votes cast on a federal write-in absentee ballot as provided in 13-13-273"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Hansen.

Total 1

Excused: DeBruycker, Grinde, Hannah, Harrington.

Total 4

Absent or not voting: Bardanoue, Nisbet.

Total 2

Representative Swift moved HB 171 as amended, do pass.

Representative DeBruycker present at this time.

Representative Mercer moved HB 171 be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

Representative Hannah present at this time.

HB 247 - Representative Whalen moved HB 247 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Grady, Hansen, Harper, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Roth, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Simon, Simpkins, Smith, Spring, Swift, Thomas, Wallin, Zook.

Total 40

Excused: Grinde, Harrington.

Total 2

Absent or not voting: None.

Total 0

Representatives Grinde and Harrington present at this time.

HB 282 - Representative Strizich moved HB 282 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Good, Grady, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 67

Noes: Aafedt, Campbell, Clark, Compton, Ellison, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Marks, Owens, Patterson, Phillips, Rehberg, Rice, Roth, Simon, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Wallin, Zook.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 306 - Representative Driscoll moved HB 306 do pass. Motion failed as follows:

Ayes: Addy, D. Brown, J. Brown, Clark, Cody, Cohen, Driscoll, Gervais, Good, Hansen, Harrington, Hoffman, Kadas, Keller, Kilpatrick, McCormick, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Quilici, Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stepler, Strizich, Thomas, Whalen.

Total 34

Noes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, Campbell, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Harper, Hayne, Iverson, Johnson, Kasten, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, R. Nelson, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Roth, Simon, Smith, Spaeth, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 65

Excused: Hanson.

Total 1

Absent or not voting: None.

Total 0

Representatives Hanson and Thomas excused at this time.

HB 341 - Representative McCormick moved HB 341 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Boharski, Cody, Davis, Ellison, Giacometto, Hannah, Hayne, Kasten, Koehnke, Lee, Mercer, R. Nelson, Owens, Peterson, Rehberg.

Total 15

Excused: Hanson, Thomas.

Total 2

Absent or not voting: Clark.

Total 1

HB 365 - Representative Harrington moved HB 365 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, DeBruycker, Spaeth, Stang, Swysgood.

Total 5

Excused: Hanson, Thomas.

Total 2

Absent or not voting: Clark.

Total 1

Representative Mercer assumed the Chair at this time.

HB 374 - Representative Peck moved HB 374 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gilbert, Glaser, Grady, Grinde, Guthrie, Hannah, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough,

Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Russell, Schye, Simon, Simpkins, Spaeth, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 66

Noes: Aafedt, Blotkamp, Brooke, Clark, Cocchiarella, Cohen, Ellison, Eudaily, Good, Gould, Hansen, Hayne, Kadas, Keller, Lee, Marks, Moore, Owens, Phillips, Ramirez, Ream, Rehberg, Rice, Roth, Smith, Spring, Squires, Stang, Swysgood, Thoft, Wyatt.

Total 31

Excused: Hanson, Thomas.

Total 2

Absent or not voting: Cody.

Total 1

HB 385 - Representative Simon moved HB 385, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "SO THAT YELLOWSTONE COUNTY MAY"

Insert: ", THE CITY OF BILLINGS, OR ZOOMONTANA, INC., TO"

2. Page 1, lines 14 through 17.

Strike: "and" on line 14 through "would" on line 17

Insert: ", the city of Billings, a private nonprofit corporation known as ZooMontana, Inc., and the Department desire to"

3. Page 1, line 21.

Following: "purposes"

Insert: "and for the enjoyment of the public"

4. Page 2, lines 16 through 19.

Strike: ", including" on line 16 through "to" on line 19

Insert: "by sale, lease, trade, or whatever other legal means may be available so that the property described in subsection (2) may be made available to Yellowstone County, the city of Billings, or"

5. Page 2, line 25.

Following: "acres"

Insert: "and including appurtenant water rights"

6. Page 3, line 3.

Strike: "grant title to or use of"

Insert: "make available to Yellowstone County, the city of Billings, or ZooMontana, Inc.,"

7. Page 3, line 14.

Following: "purposes."

Insert: "The commitment to expend sums of money in the development of the property for use as a zoo and botanical gardens and the dedication of the property as so developed for public use for the benefit of all Montanans may be considered as a part or all of the consideration necessary to constitute full market value if it is determined that the state cannot transfer the property without obtaining full market value for it."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Elliott.

Total 1

Excused: Hanson.

Total 1

Absent or not voting: DeMars.

Total 1

Representative Hanson present at this time.

Representative Simon moved HB 385, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, D. Brown, J. Brown, Campbell, Clark, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stickney, Swift, Swysgood, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Bardanouve, Blotkamp, Bradley, Brooke, Cobb, Cocchiarella, Cody, Darko, DeMars, Elliott, Gervais, Grinde, Guthrie, Hansen, Johnson, Koehnke, Menahan, Nisbet, O'Connell, O'Keefe, Quilici, Raney, Ream, Squires, Stang, Stepler, Strizich, Thoft, Westlake.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Simon resumed the Chair at this time.

HB 386 - Representative Knapp moved HB 386 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper,

Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Hannah, Marks, O'Connell, O'Keefe, Strizich.

Total 5

HB 392 - Representative Darko moved HB 392, second reading copy, be amended as follows:

1. Title, line 5.

Following: "HOMES"

Strike: ", "

Insert: "AND"

Following: "TRAILERS"

Strike: ", AND CAMPERS"

2. Page 1, line 11.

Following: "homes"

Strike: ", "

Insert: "and"

3. Page 1, line 12.

Following: "trailers"

Strike: ", and campers"

4. Page 1, line 13.

Following: "homes"

Strike: ", "

Insert: "and"

Following: "trailers"

Strike: ", and campers"

5. Page 1, line 17.

Following: "home"

Strike: ", "

Insert: "or"

Following: "trailer"

Strike: ", or camper"

6. Page 1, line 20.

Following: "home"

Strike: ", "

Insert: "or"

Following: "trailer"

Strike: ", or camper"

7. Page 1, line 25.

Following: "home"

Strike: ", "

Insert: "or"

8. Page 2, line 1.

Following: "trailer"

Strike: ", or camper"

9. Page 3, line 10.

Following: "home"

Strike: ", "

Insert: "and"

Following: "trailers"

Strike: ", and campers"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bradley.

Total 1

Excused: None.

Total 0

Absent or not voting: Giacometto, Hannah, Marks.

Total 3

Representative Darko moved HB 392, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Clark.

Total 1

Excused: None.

Total 0

Absent or not voting: Hannah, Harrington, Marks.

Total 3

HB 398 - Representative Westlake moved HB 398 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cobb, Grinde, O'Keefe, Peck.

Total 4

Excused: None.

Total 0

Absent or not voting: Bradley, Harrington.

Total 2

HB 423 - Representative Vincent moved HB 423 be placed at the top of the second reading board. Motion carried.

Representative Grady moved HB 423 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Elliott, Spaeth, Stang.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved the adoption of the committee report. Report adopted. (91-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 119 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Eudaily, Giacometto, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Bardanouve, Cobb, Cocchiarella, DeBruycker, DeMars, Elliott, Ellison, Gervais, Gilbert, Gould, Hannah, Marks, Menahan, Patterson, Peck, Ream, Simon, Thomas.
Total 18

Excused: None.
Total 0

Absent or not voting: Harrington.
Total 1

HB 209 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Elliott.
Total 1

Excused: None.
Total 0

Absent or not voting: Harrington.
Total 1

HB 274 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Aafedt, Boharski, Clark, Ellison, Giacometto, Gould, Grinde, Guthrie, Hayne, Kasten, Keller, Mercer, R. Nelson, T. Nelson, Owens, Peterson, Ramirez, Rehberg, Rice, Roth, Simon, Smith, Spring, Thoft.

Total 24

Excused: None.

Total 0

Absent or not voting: Swift.

Total 1

HB 278 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Paylovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Wallin.

Total 1

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 302 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Gilbert, Good, Hanson, Peck, Ramirez, Steppler.

Total 7

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 308 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 347 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 387 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, McCormick, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Schye, Simon, Simpkins, Spaeth, Spring, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 74

Noes: Addy, Brooke, Cocchiarella, Cohen, Darko, Elliott, Gervais, Glaser, Hansen, Johnson, Kadas, Kilpatrick, Kimberley, McDonough, Menahan, Nisbet, O'Keefe, Ream, Rice, Russell, Squires, Stickney, Whalen, Wyatt, Mr. Speaker.

Total 25

Excused: None.

Total 0

Absent or not voting: Smith.

Total 1

HB 389 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 395 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper,

Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Hoffman, Swift, Wallin.

Total 3

Excused: None.

Total 0

Absent or not voting: Harrington, Marks.

Total 2

HB 402 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: DeBruycker, Gould, Hannah, Hoffman, Kasten, Koehnke, T. Nelson, Peck, Phillips, Roth, Simon, Swift, Swysgood.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 417 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Koehnke, Peck, Raney.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Strizich moved HB 282 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Harrington moved his vote on HB 274, third reading, be recorded as yes. Motion carried.

Representative Driscoll moved HB 483 be taken from printing and rereferred to the Committee on Business and Economic Development. Motion carried.

Representative Harrington moved HB 605 be taken from the Committee on Taxation and rereferred to the Committee on State Administration. Motion carried.

Representative Spaeth moved HB 398 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Harper moved the House accede to the request of the Senate to return SB 100 for further consideration. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/9/89

Correctly printed: HB 346, HB 432, HB 481.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/9/89

HB 238, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "INSURERS" on line 6

Strike: the remainder of line 6 through "INSURERS" on line 7

Following: ","

Insert: "AND"

2. Title, line 8.

Strike: "; AND REPEALING SECTION 33-16-202, MCA"

3. Page 4, line 23.

Strike: "annually compile and review"

Insert: "store"

4. Page 4, line 25, and page 5, line 1.

Strike: line 25 in its entirety through "state" on line 1

5. Page 5, line 2.

Strike: "commissioner's findings and the"

6. Page 5, lines 5 through 12.

Following: "citizen." on line 5

Strike: the remainder of line 5 through line 12 in their entirety

7. Page 5, line 14.

Strike: "insurance company"

Insert: "insurer"
Following: "file"
Insert: "annually"

8. Page 5, lines 16 through 18.

Following: "prerequisite to"

Strike: the remainder of line 16 through "coverage" on line 18

Insert: "transacting insurance in this state"

9. Page 5, line 25.

Strike: section 6 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HJR 12, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "BELOW-COST"

Insert: "SUBSIDIZED"

Following: "PRICING"

Strike: "GIVES"

Insert: "AND PREDATORY MOTOR FUEL FRANCHISE PRACTICES GIVE"

2. Title, line 8.

Following: "CERTAIN"

Insert: "WHOLESALERS AND"

3. Page 1, line 14.

Strike: ", below-cost"

Following: "pricing"

Insert: "and predatory motor fuel franchise practices"

Following: "the"

Insert: "wholesale and"

Strike: "level"

Insert: "levels"

Following: "other"

Insert: "wholesalers and"

4. Page 1, line 16.

Strike: ", below-cost"

Strike: "is a"

Insert: "and"

5. Page 1, line 17.

Strike: "practice that is"

Insert: "motor fuel franchise practices are"

6. Page 1, line 18.

Strike: "below-cost pricing"

Insert: "those practices"

7. Page 1, line 20.

Strike: "from subsidized pricing"

8. Page 1, line 23.

Strike: "below-cost pricing"

Insert: "those practices"

9. Page 1, line 24.

Following: "of"

Insert: "subsidized pricing and"

Following: "predatory"

Strike: "pricing"

Insert: "motor fuel franchise agreements"

10. Page 2, line 8.

Following: "pricing"

Insert: "or motor fuel franchise agreements"

Following: "independent"

Insert: "wholesalers and"

11. Page 2, line 9.

Following: "competing"

Insert: "wholesalers and"

12. Page 2, line 13.

Following: "predatory"

Strike: "pricing is"

Insert: "practices are"

13. Page 2, line 14.

Following: "Montana"

Insert: "wholesalers and"

14. Page 2, line 15.

Following: "other"

Insert: "wholesalers and"

15. Page 2, lines 15 and 16.

Strike: "below-cost pricing"

Insert: "those practices"

16. Page 2, lines 17 and 18.

Strike: "below-cost pricing"

Insert: "those practices"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 464, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AND"

2. Title, line 8.

Following: "FUEL"

Insert: ", AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE"

3. Page 2, line 7.

Strike: "current"

Insert: "most recent"

4. Page 2, line 11.

Strike: "all trade"

Insert: "customary"

Following: "discounts"

Insert: "for cash"

Strike: "customary"

Insert: "trade"

5. Page 2, line 12.

Strike: "for cash"

6. Page 2.

Strike: lines 14 through 17 in their entirety

Insert: "(i) cost of doing business as defined in 30-14-202;"

Renumber: subsequent subsections

7. Page 2, line 23.

Following: "of the"

Insert: "most recent invoice"

8. Page 3, line 4.

Strike: "all trade"

Insert: "customary"

Following: "discounts"

Insert: "for cash"

Strike: "customary"

Insert: "trade"

9. Page 3, line 5.

Strike: "for cash"

10. Page 3.

Strike: lines 7 through 10 in their entirety

Insert: "(i) cost of doing business as defined in 30-14-202;"

Renumber: subsequent subsections

11. Page 3, line 17.

Following: "of the"

Insert: "most recent invoice"

12. Page 4, line 22.

Following: line 21

Insert: "(10) 'Transportation cost' means the actual cost of transportation of motor fuel or, in the absence of proof of actual cost, the common carrier rates fixed by the public service commission for the immediate market area concerned."

Renumber: subsequent subsections

13. Page 5, lines 16 and 17.

Strike: "petroleum distillates"

Insert: "motor fuels"

14. Page 5, line 20.

Strike: "petroleum distillates"

Insert: "motor fuels"

15. Page 5, line 25.

Strike: "petroleum distillate"

Insert: "motor fuel"

16. Page 6, line 2.

Strike: "petroleum distillate"

Insert: "motor fuel"

17. Page 6, line 12.

Strike: "other"

Insert: "delivering"

18. Page 8, line 16.

Following: "a"

Insert: ":

(1)"

19. Page 8, line 20.

Following: "purchase"

Insert: ", or

(2) bulk sale at either the wholesale or retail level to a person engaged in agriculture if the fuel is used for agricultural purposes"

20. Page 9, line 6.

Following: line 5

Insert: "NEW SECTION. Section 12. Effective date. [This act] is effective on passage and approval."

And, as amended, do not pass.

JUDICIARY (D. Brown, Chairman):

2/7/89

HB 70, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "WEAPON"

Insert: "HANDGUN"

2. Title, lines 7 and 8.

Following: "FEES"

Strike: "AND LATE RENEWAL FEES"

3. Title, line 10.

Following: "45-8-317"

Strike: ", "

4. Title, line 11.

Following: line 10

Insert: "AND"

Following: "45-8-319"

Strike: ", AND 45-8-351"

5. Page 1.

Following: line 25

Insert: "(6) a person in possession of a valid hunting license and actively hunting during an official hunting season in an area where hunting is allowed,"

Renumber: subsequent subsections

6. Page 2, line 1.

Following: "person"

Strike: "authorized by"

Insert: "with a valid permit under 45-8-319"

7. Page 2, lines 2 and 3.

Following: "~~state~~"

Strike: "the sheriff" on line 2 through "weapon" on line 3

8. Page 2, line 7.

Following: "45-8-319."

Strike: "Permits"

Insert: "Permit"

Following: "carry"

Insert: "a"

Following: "concealed"

Strike: "weapons"

Insert: "handgun"

9. Page 2, line 10.

Following: "issuing"

Strike: "permits"

Insert: "a permit"

10. Page 2, line 11.

Following: "carry"

Insert: "a"

Following: "concealed"

Strike: "weapons"

Insert: "handgun"

11. Page 2, line 14.

Following: "concealed"

Strike: "weapon"

Insert: "handgun"

12. Page 2, line 16.

Following: "The sheriff of"

Strike: "a"

Insert: "the"

13. Page 2, line 17.

Following: "police of a"

Strike: "municipality in the county"

Insert: "city of the first or second class"

14. Page 2, lines 20 and 21.

Following: "~~otherwise, a~~"

Strike: "pistol or revolver"

Insert: "handgun"

15. Page 2, line 21.

Following: "years."

Insert: "If the authority to which application is made cannot adequately check the appropriate records and process the application in 30 days, the authority may inform the applicant in writing that an additional 30 days is necessary. There must not be more than one 30-day extension."

16. Page 2, line 22.

Following: "possessed"

Strike: "firearm"

Insert: "handgun"

17. Page 3, line 1.

Following: "resident of"

Strike: "Montana"

Insert: "the jurisdiction of the authority to which application is made"

18. Page 3, line 2.

Strike: ".,"

Insert: ".² There is no residency requirement for a person who makes a subsequent application in another jurisdiction after the first application is granted."

19. Page 3, line 9.

Following: "concealed"

Strike: "weapon"

Insert: "handgun"

20. Page 3.

Following: line 12

Insert: "(vi) obstructing a peace officer;"

Re-number: subsequent subsections

21. Page 3, line 16.

Following: "(e)"

Strike: the subsection in its entirety

Insert: "has been convicted of any combination of two or more offenses under 61-8-401 and 61-8-406 or of a possession offense under chapter 9 of this title;"

22. Page 3, line 17.

Following: "(f) is"

Strike: "adjudicated mentally incompetent."

Insert: "detained pending hearing or trial, has been adjudicated to be seriously mentally ill under Title 53, chapter 21, part 1, or has been diagnosed by a professional person, as defined in 53-21-102, hired by the person in a private setting, to have a chronic mental disorder or chronic serious mental illness, as defined in 53-21-102; or"

23. Page 3.

Following: line 17

Insert: "(g) is under prosecution for an offense referred to in subsections (3)(c) through (3)(e)."

24. Page 3, line 21.

Strike: "No charge" through "petition."

25. Page 3, line 22.

Following: "application"

Strike: "shall"

Insert: "must"

26. Page 3, line 23.

Following: "prescribed by"

Strike: "the identification bureau of"

27. Page 4, line 10.

Following: "who"

Insert: "are not relatives and who"

28. Page 4, line 15.

Following: "part 3"

Insert: ","

29. Page 4, line 16.

Following: "3"

Insert: ","

30. Page 4, line 23.

Strike: "weapon"

Insert: "handgun"

31. Page 5, line 15.

Following: "the sheriff"

Strike: "of"

Insert: "or"

32. Page 5, line 16.

Following: "appropriate"

Strike: "local"

Insert: "municipal, county,"

33. Page 6, line 5.

Following: "prescribed by"

Strike: "the identification bureau of"

34. Page 6, line 6.

Following: "justice"

Strike: "The identification bureau"

Insert: ", which"

35. Page 7, lines 12 and 13.

Following: "prescribed by" on line 12

Strike: "the identification bureau of"

36. Page 7, line 14.

Following: "concealed"

Strike: "weapon"

Insert: "handgun"

37. Page 7, line 17.

Strike: "weapon"

Insert: "handgun"

38. Page 8, line 1.

Following: "without"

Strike: "cost"

Insert: "taxation of prehearing costs"

Following: "applicant,"

Insert: "and the grant of a permit may be appealed by another authority authorized to grant the applicant a permit,"

39. Page 8, lines 3 and 4.

Following: "resides"

Strike: ", under" through "7" on line 4

Following: "," on line 4

Insert: "The record on appeal is limited to the application, the denial if an application was denied, and information an appellant issuing authority adds to the record. The court shall decide the appeal as quickly as possible and in any event within 6 months."

40. Page 8, line 6.

Strike: "\$75" on line 6

Insert: "\$125"

41. Page 8, lines 6 and 7.

Following: "collected"

Strike: "by the authority issuing the permit"

Insert: "when the application is made"

42. Page 8, line 8.

Following: "(a)"

Strike: "\$50"

Insert: "\$100"

43. Page 8, line 9.

Following: "enforcing"

Strike: "[This act]"

Insert: "45-8-351 and this section"

44. Page 8, line 10.

Following: "in"

Insert: "an account in"

45. Page 8, line 11.

Following: "for"

Insert: "the administration of this section,"

46. Page 8, lines 13 and 14.

Following: the first "firearms" on line 13

Strike: "

Insert: "and on"

Following: "safety, and"

Strike: "the preemptive" on line 13 through "law" on line 14

Insert: "to operate or to grant funds to private entities for the operation of programs teaching handgun safety and when firearms may be legally used in defense of persons and property"

47. Page 8, line 17.

Following: "if"

Strike: "he"

Insert: "the permitholder resides in the jurisdiction of the authority that issued the permit and the permitholder"

48. Page 8, line 19.

Following: "of the permit"

Insert: "on a form prescribed by the department of justice"

49. Page 8, line 22.

Strike: "[This act]"

Insert: "45-8-351 and this section"

50. Page 9, line 17.

Following: "fingerprints."

Insert: "A sheriff, or chief of police if the applicant resides in a city of the first or second class, who issues a permit shall also mail a copy of the record to the other authority authorized to issue a permit to the person granted a permit."

51. Page 9, line 19.

Following: "concealed"

Strike: "weapon"

Insert: "handgun"

52. Page 9, lines 22 and 23.

Strike: "an" on line 22 through "subsection" on line 23

Insert: "a mitigating factor"

53. Page 9, line 25.

Following: "permitholder"

Insert: "who is carrying a concealed handgun"

54. Page 10, line 4.

Following: "concealed"

Strike: "weapon"

Insert: "handgun"

55. Page 10, lines 6 and 7.

Strike: "the provisions of" on line 6

Following: "subsection" on line 6

Strike: "constitutes" on line 6 through "misdemeanor" on line 7

Insert: "is a criminal offense"

56. Page 10, line 11.

Following: "concealed"

Strike: "weapon"

Insert: "handgun"

57. Page 10, line 12.

Strike: "constitutes"

Insert: "is"

Strike: "fine"

Insert: "penalty"

58. Page 10, line 17.

Strike: "constitutes"

Insert: "is"

59. Page 10, line 18.

Strike: "fine"

Insert: "penalty"

60. Page 10, line 25 through page 11, line 13.

Strike: subsection (18) in its entirety

Re-number: subsequent subsections

61. Page 11, line 20.

Following: "concealed"

Strike: "weapon"

Insert: "handgun"

62. Page 12, lines 2, 8, 10, and 13.

Following: "the"

Strike: "weapon"

Insert: "handgun"

63. Page 12, line 7.

Following: "subsection"

Strike: "(19)(b)"

Insert: "(18)(b)"

64. Page 12, line 18.

Following: "concealed"

Strike: "weapon"

Insert: "handgun"

65. Page 12, line 20.

Following: "permit" on line 19

Strike: "shall" on line 20

Insert: "must"

66. Page 12, lines 23 and 24.

Following: "authority and"

Strike: "the identification bureau of"

67. Page 12, line 25 through page 14, line 2.

Strike: section 3 in its entirety

Re-number: subsequent sections

68. Page 14, line 4.

Following: "concealed"

Strike: "weapon"

Insert: "handgun"

69. Page 14, lines 12 through 17.

Strike: section 6 in its entirety

Insert: "Section 6. Nonseverability. It is the intent of the legislature that each part of [this act] is essentially dependent upon every other part, and if one part is held unconstitutional, all other parts are invalid."

And, as amended, do pass. Report adopted.

HB 295, introduced bill, be amended as follows:

1. Page 2, line 11.

Following: "writing,"

Insert: "or by a party to a civil action arising from the accident,"

And, as amended, do pass. Report adopted.

HB 349, introduced bill, be amended as follows:

1. Title, line 6.

Following: "LAWS;"

Insert: "PROHIBITING CERTAIN PERSONS FROM PURCHASING THE PROPERTY;"

2. Page 3, line 18.

Following: "auction."

Insert: "The property may not be sold to an officer or employee of the law enforcement agency that seized the property or to a person related to an officer or employee by blood or marriage."

And, as amended, do pass. Report adopted.

HB 350, do pass. Report adopted.

HB 351, introduced bill, be amended as follows:

1. Page 2, line 5.

Strike: "or"

2. Page 2, line 7.

Strike: "."

Insert: ";

3. Page 2, line 8.

Following: line 7

Insert: "(f) by a person who has a valid federal tax stamp for the firearm issued by the bureau of alcohol, tobacco, and firearms; or

(g) by a bona fide collector of firearms if the firearm is a muzzle loading sawed-off firearm manufactured before 1900."

And, as amended, do pass. Report adopted.

HB 459, introduced bill, be amended as follows:

1. Title, line 6.

Following: "PARTIES"

Insert: "WITH THE COURT'S APPROVAL"

2. Page 1, line 13.

Following: "or"

Insert: ", with the approval of the court,"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/9/89

HB 345, introduced bill, be amended as follows:

1. Title, line 8.

Following: “,”

Insert: “PROVIDING THAT A PERSON WHO FILES A FALSE DOCUMENT BY FACSIMILE COPY IS LIABLE FOR RESULTANT DAMAGES;”

2. Page 1, line 20.

Following: “document”

Insert: “and the signatures on the facsimile copy in”

Following: “same”

Insert: “manner”

Following: “purposes of”

Insert: “39-9-402 and”

3. Page 2.

Following: line 9

Insert: “(d) If the original document is not received within 5 working days of receipt of the facsimile copy as provided in subsection (1)(b), the filing of the facsimile copy is void.

(e) A person who files a false document by facsimile copy is liable to the party aggrieved for three times the amount of damages resulting from the filing of the false document.”

4. Page 10, line 7.

Following: “document”

Insert: “and the signatures on the facsimile copy in”

Following: “same”

Insert: “manner”

5. Page 10.

Following: line 21

Insert: “(d) If the original document is not received within 5 working days of receipt of the facsimile copy as provided in subsection (9)(b), the filing of the facsimile copy is void.

(e) A person who files a false document by facsimile copy is liable to the party aggrieved for three times the amount of damages resulting from the filing of the false document.”

6. Page 12, line 16.

Following: “document”

Insert: “and the signatures on the facsimile copy in”

Following: “same”

Insert: “manner”

7. Page 13.

Following: line 5

Insert: “(d) If the original document is not received within 5 working days of receipt of the facsimile copy as provided in subsection (9)(b), the filing of the facsimile copy is void.

(e) A person who files a false document by facsimile copy is liable to the party aggrieved for three times the amount of damages resulting from the filing of the false document.”

8. Page 13, line 9.

Following: “j”

Insert: “and the signatures on the facsimile copy in”

Following: “same”

Insert: “manner”

9. Page 13.

Following: line 22

Insert: "(3) If the original document is not received within 5 working days of receipt of the facsimile copy as provided in subsection (1), the filing of the facsimile copy is void.

(4) A person who files a false document by facsimile copy is liable to the party aggrieved for three times the amount of damages resulting from the filing of the false document."

And, as amended, do pass. Report adopted.

HB 353, do pass. Report adopted.

HB 488, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "PRIMARY OR"

2. Title, line 7.

Strike: "AND"

Insert: ", "

Strike: "THROUGH"

Insert: ", AND"

3. Page 1, line 18.

Strike: "85"

Insert: "75"

4. Page 1, line 24.

Strike: "85th"

Insert: "75th"

5. Page 2, line 22.

Strike: "an"

Insert: "a general"

Following: "election"

Insert: "or 75 days before a primary election"

6. Page 2, line 25 through page 3, line 13.

Strike: section 3 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 531, introduced bill, be amended as follows:

1. Title, line 7.

Following: "PATROLMEN'S"

Insert: ", MUNICIPAL POLICE OFFICERS', AND FIREFIGHTERS' UNIFIED"

Strike: "SYSTEM"

Insert: "SYSTEMS"

Strike: "SECTION"

Insert: "SECTIONS"

Following: ", "

Insert: "19-9-804, 19-13-704, 19-13-901, AND 19-13-902,"

2. Page 2.

Following: line 20

Insert: "Section 2. Section 19-9-804, MCA, is amended to read:

"19-9-804. Amount of service retirement allowance — continuation of allowance after death of member. (1) A police officer who is eligible under subsection (1) or (2) of 19-9-801 and does not elect to

serve any additional years as an active police officer shall receive a service retirement allowance equal to one-half his final average salary.

(2) A police officer who is eligible for service retirement after 20 years of service and who elects to serve additional years shall receive the allowance provided for in subsection (1) plus an additional 1% of such allowance per year of additional service, up to a maximum of 60% of the final average salary.

(3) Upon the death of a police officer receiving a service retirement allowance under this section, his surviving spouse, if there is one, shall, ~~for as long as the spouse remains unmarried,~~ receive from the fund a sum equal to one-half of the officer's final average salary. If the officer leaves one or more dependent children, then upon his death, if he leaves no surviving spouse or upon the death ~~or remarriage~~ of the surviving spouse, the officer's surviving dependent child, or children collectively if there are more than one, shall receive the same monthly payments a surviving spouse would receive for as long as the child or one of the children remains dependent as defined in 19-9-104. The payments must be made to the child's appointed guardian for the child's use. If there is more than one dependent child, upon each child no longer qualifying as dependent under 19-9-104, the pro rata payments to that child must cease and be made to the remaining children until all the children are no longer dependent."

Section 3. Section 19-13-704, MCA, is amended to read:

"19-13-704. Amount of retirement allowance. (1) (a) A member hired before July 1, 1981, who is eligible under 19-13-701 and who elects to retire after completing 20 years of service and reaching age 50 as an active firefighter shall receive a service retirement allowance equal to one-half the monthly compensation last received by the member for his service as an active firefighter. A member who completes more than 20 years of service shall receive an additional 1% of his final monthly compensation for each year in excess of 20, up to a maximum of 60% of the monthly compensation last received by the member.

(b) A member hired before July 1, 1981, who is eligible under 19-13-701 and who elects to retire after completing 10 years or more of service but has not both completed 20 years of service and reached age 50 as an active firefighter shall receive a service retirement allowance equal to 2% of the monthly compensation last received by the member for each year of service up to a maximum of 60% of his final monthly salary.

(i) If the member dies after he is permanently separated from service and before he both reaches age 50 and completes 20 years of service as an active firefighter, the allowance prescribed in subsection (1)(b) must be made to the surviving spouse beginning on the date the firefighter would have both reached his 50th birthday and completed 20 years of service as an active firefighter and terminating upon the surviving spouse's death ~~or remarriage~~. If there is no surviving spouse or if the surviving spouse dies ~~or remarries~~ and if the firefighter leaves one or more dependent children, the children are entitled to receive the allowance as long as they remain dependent as defined in 19-13-104.

(ii) If the firefighter dies after he both reaches age 50 and completes 20 years of service as an active firefighter, the payments must be made to the surviving spouse or children as provided in subsection (1)(b)(i).

(2) A member hired on or after July 1, 1981, who is eligible under 19-13-701 shall receive a service retirement allowance equal to 2% of his final average salary for each year of service up to a maximum of 30 years of service."

Section 4. Section 19-13-901, MCA, is amended to read:

"19-13-901. Payment of service or disability allowance upon death of member. A member's service or disability allowance shall be paid first to the member during his lifetime and, upon his death, to his surviving spouse ~~as long as such spouse remains unmarried~~. If upon a member's death he leaves no surviving spouse, or upon the death ~~or remarriage~~ of a surviving spouse, his allowance shall be paid to his dependent children as long as they remain dependent as defined in 19-13-104."

Section 5. Section 19-13-902, MCA, is amended to read:

"19-13-902. Survivorship allowance. (1) (a) Upon the death before retirement of an active member hired before July 1, 1981, his surviving spouse, if there is one, shall, ~~as long as such spouse remains unmarried~~, receive a survivorship allowance equal to one-half the monthly compensation last received by the member for his service as an active firefighter. If the member leaves one or more dependent children, then, upon his death if he leaves no surviving spouse or upon the death ~~or remarriage~~ of the surviving spouse, his dependent children shall collectively receive the same allowance that a surviving spouse would have received as long as the children remain dependent as defined in 19-13-104.

(b) If the deceased member completed over 20 years of service, the survivorship allowance provided in subsection (1)(a) must be increased at a rate of 1% for each year in excess of 20, up to a maximum of 60% of the monthly compensation last received by the member.

(2) Upon the death before retirement of a member hired on or after July 1, 1981, his surviving spouse, if there is one, shall, ~~as long as such spouse remains unmarried~~, receive a survivorship allowance equal to one-half of the member's final average salary. If the firefighter leaves one or more dependent children, then, upon his death if he leaves no surviving spouse or upon the death ~~or remarriage~~ of the surviving spouse, his dependent children shall collectively receive the same allowance that a surviving spouse would have received, as long as the children remain dependent as defined in 19-13-104."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 533, do pass. Report adopted.

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 575: Eudaily.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:15 p.m., Friday, February 10, 1989.

Motion carried.

House adjourned at 3:12 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 10, 1989

House Chambers
State Capitol

House convened at 12:20 p.m., Mr. Speaker in the Chair. Invocation by Representative Cobb. Pledge of Allegiance to the Flag.

Roll call. All members present except Compton, Kadas, Marks, and Peck, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/10/89

Correctly printed: HB 20, HB 70, HB 238, HB 295, HB 335, HB 344, HB 345, HB 349, HB 350, HB 351, HB 353, HB 378, HB 400, HB 459, HB 488, HB 531, HB 533.

Correctly engrossed: HB 101, HB 247, HB 341, HB 365, HB 374, HB 385, HB 386, HB 392, HB 423.

FISH AND GAME (Ream, Chairman): 2/10/89

HB 186, do pass. Report adopted.

HB 289, introduced bill, be amended as follows:

1. Title, line 7.

Following: "USED;"

Insert: "INCREASING RESTITUTION ON ILLEGAL KILLING OR POSSESSION OF PADDLEFISH;"

Following: "SECTIONS"

Insert: "87-1-111,"

2. Title, line 8.

Following: "87-3-111"

Insert: " ,"

Following: "MCA"

Insert: " , AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE"

3. Page 1, line 9.

Insert:

"STATEMENT OF INTENT

A statement of intent is required for this bill because 87-4-601(3) grants rulemaking authority to the department of fish, wildlife, and parks to implement the paddlefish roe donation program. The legislature intends that the priority in implementing the provisions of this bill be on maintaining the paddlefish fishery. At a minimum, it is intended that the rules address the following:

(1) a process for the selection of a Montana nonprofit corporation to accept roe donations and to process and market the paddlefish roe;

(2) recordkeeping required of the selected corporation and commercial buyers to assure proper administration of the program;

(3) a process for development of recommendations and review of projects in expending funds raised through the paddlefish roe program; and

(4) any other topics necessary for administration of the program."

4. Page 2, line 16.

Following: "who"

Insert: "legally"

5. Page 2, line 19.

Following: "corporation"

Insert: "as specified in subsection (3)(b)"

6. Page 2, line 21.

Following: "(b)"

Strike: the remainder of line 21 through page 3, line 4

Insert: "The department shall develop rules for selecting one Montana nonprofit organization to accept paddlefish egg donations and process and market the eggs as caviar. The department shall also develop rules for the marketing and sale of caviar.

(c) The department may enter into an agreement with the organization selected pursuant to subsection (3)(b) specifying times, sites, and other conditions under which paddlefish eggs may be collected. The agreement must require the organization to maintain records of revenue collected and related expenses incurred and to make the records available to the department and the legislative auditor upon request.

(d) (i) One-half of the proceeds from the sale of paddlefish egg caviar products in excess of the costs of collection, processing, marketing, and administration must be deposited in a state special revenue fund established for the department. The fund and any interest earned on the fund must be used to benefit the paddlefish fishery, including fishing access, improvements, habitat, and fisheries management, or to provide information to the public regarding fishing in eastern Montana, which could include the design and construction of interpretive displays.

(ii) The other half of the proceeds from the sale of paddlefish egg caviar products in excess of the costs of collection, processing, marketing, and administration must be paid to the nonprofit organization that processes and markets the caviar. An advisory committee must be established consisting of one member from the organization selected under subsection (3)(b), two area local government representatives, and two representatives of area sportsmen. The advisory committee shall solicit and review historical, cultural, recreational, and fish and wildlife proposals and fund projects. The committee shall notify the commission of its actions. Proceeds may be used as seed money for grants."

7. Page 4, line 12.

Following: line 11

Insert: "Section 3. Section 87-1-111, MCA, is amended to read:

"87-1-111. Restitution for illegal killing or possession of certain wildlife. In addition to other penalties provided by law, a person convicted of the illegal killing or possession of a wild bird, mammal, or fish listed in this section shall reimburse the state for each such bird, mammal, or fish according to the following schedule:

(1) bighorn sheep, mountain goat, caribou, buffalo, grizzly bear, moose, and endangered species, \$1,000;

(2) elk, mountain lion, black bear, lynx, and wolverine, \$500;

(3) deer, antelope, fisher, raptor, swan, bobcat, pallid and white sturgeon, and paddlefish, \$300;

- (4) ~~paddlefish~~, grayling; and furbearers not listed in subsection (1), (2), or (3), \$100;
- (5) game bird (except swan), \$25;
- (6) game fish, \$10.””

Renumber: subsequent section

8. Page 4.

Following: line 15

Insert: “NEW SECTION. Section 5. Effective date — termination.
[This act] is effective July 1, 1989, and terminates June 30, 1993.”

And, as amended, do pass. Report adopted.

HB 342, do pass. Report adopted.

HB 403, introduced bill, be amended as follows:

1. Page 2, line 9.

Following: “for”

Insert: “property purchase,”

Following: “earthwork”

Insert: “,”

2. Page 3, line 7.

Strike: “weapon”

Insert: “arm”

Strike: “weapons”

Insert: “arms”

3. Page 3, line 11.

Following: “hunter”

Strike: “safety”

Following: “classes”

Strike: “on an occasional basis”

4. Page 4, line 7.

Following: “facility”

Insert: “in any one biennium”

And, as amended, do pass. Report adopted.

HB 426, do pass. Report adopted.

HB 478, do pass. Report adopted.

Adverse Committee Report

HB 551, do not pass.

LOCAL GOVERNMENT (Darko, Chairman):

2/10/89

HB 205, second reading copy, be amended as follows:

1. Page 4, lines 2 and 3.

Strike: “area” on line 2 through “valuation” on line 3

2. Page 4, line 3.

Following: “(1)”

Insert: “(a)”

3. Page 4, line 4.

Following: “of” on line 3

Strike: “this section” on line 4

Insert: “subsection (1)”

4. Page 4, line 8.

Strike: "(2)"

Insert: "(b)"

Strike: "The" through "body"

Insert: "If the district is established by a city or town, the city council"

5. Page 4, line 11.

Strike: "(a)"

Insert: "(i)"

6. Page 4, line 16.

Strike: "(b)"

Insert: "(ii)"

7. Page 4, line 21.

Strike: "(c)"

Insert: "(iii)"

Strike: "governing body"

Insert: "city council"

8. Page 5, line 2.

Strike: "(d)"

Insert: "(iv)"

9. Page 5, line 7.

Strike: "(e)"

Insert: "(v)"

10. Page 5, line 8.

Strike: "(2)(a)"

Insert: "(1)(b)(i)"

Strike: "(2)(d)"

Insert: "(1)(b)(v)"

11. Page 5.

Following: line 10

Insert: "(2) If the district is established by a county, each lot or parcel of land within the district must be assessed by the county commissioners for that part of the cost which its assessed value bears to the assessed value of the entire district."

And, as amended, do pass. Report adopted.

HB 505, do pass. Report adopted.

HB 549, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 464 - Representative Pavlovich moved the 2/9/89 adverse committee report on HB 464 be adopted.

Representative Bradley made a substitute motion the adverse committee report be rejected and HB 464 be printed and placed on second reading. Motion carried as follows:

Ayes: Addy, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Johnson, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth,

Spring, Squires, Stang, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Aafedt, Bachini, Blotkamp, Clark, DeBruycker, Giacometto, Gilbert, Guthrie, Hannah, Hayne, Iverson, Kasten, Keller, Koehnke, R. Nelson, T. Nelson, Owens, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Stepler, Swift, Swysgood, Thoft, Thomas.

Total 28

Excused: Compton, Kadas, Marks, Peck.

Total 4

Absent or not voting: Cody, Moore.

Total 2

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/9/89

HB 4, introduced by Hanson

HB 64, introduced by Eudaily

HB 146, introduced by Strizich

HB 195, introduced by Rice

HB 199, introduced by J. Brown

HB 260, introduced by Clark

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

2/9/89

HB 38, introduced by Eudaily

HJR 2, introduced by Peterson

Senate bills passed and transmitted to the House for concurrence:

2/9/89

SB 232, introduced by Keating

SB 249, introduced by Harp

SB 251, introduced by Harding

SB 252, introduced by Harding

SB 283, introduced by Crippen

SB 293, introduced by Mazurek

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 600, introduced by Vincent, referred to Committee on Business and Economic Development

HB 622, introduced by Driscoll, referred to Committee on Labor and Employment Relations

HB 624, introduced by Menahan, Blotkamp, Harrington, Lynch, referred to Committee on Highways and Transportation

HB 625, introduced by Mercer, Harding, Davis, Pinsoneault, Cody, referred to Committee on Taxation

HB 626, introduced by Whalen, Knapp, Menahan, Bardanouve, Walker, Lynch, Raney, Stimatz, Gould, Westlake, Driscoll, Peck, Strizich, Daily, Pavlovich, DeMars, Anderson, Vincent, Connelly, J. Brown, Addy, Hansen, Kimberley, Darko, Gervais, McCormick, Blotkamp, Moore, O'Connell, Halligan, Cocchiarella, Harrington, Bachini, Squires, Brooke, Spaeth, Stang, Johnson, Iverson, Schye,

Quilici, Cohen, Russell, Gage, Nathe, Bishop, D. Brown, Devlin, Manning, Boylan, Jacobson, Jergeson, Rapp-Svrcek, Steppler, Swysgood, Beck, Nisbet, Weeding, Meyer, Koehnke, Harp, Ream, Mazurek, Harper, Kilpatrick, Pipinich, Tveit, O'Keefe, Jenkins, Yellowtail, Severson, B. Brown, Hammond, Campbell, Stickney, Wyatt, Davis, referred to Committee on Business and Economic Development

HB 627, introduced by Simon, Crippen, Ramirez, Keating, Bradley, Good, Marks, Hannah, Lee, DeBruycker, Roth, Patterson, Thomas, Simpkins, Iverson, Gilbert, T. Nelson, Giacometto, Rehberg, Wallin, Spring, Peterson, Smith, Hayne, Owens, Aafedt, Boylan, Gage, Meyer, Noble, McLane, Thayer, referred to Committee on Business and Economic Development

HB 628, introduced by Simon, referred to Committee on Labor and Employment Relations

HB 629, introduced by Grady, referred to Committee on Business and Economic Development

HB 630, introduced by Koehnke, referred to Committee on Local Government

HB 631, introduced by Gervais, Russell, Daily, Pavlovich, Yellowtail, Gage, Vincent, referred to Committee on Human Services and Aging

HB 632, introduced by Daily, referred to Committee on State Administration

HB 633, introduced by Whalen, Driscoll, D. Brown, Harper, referred to Committee on Natural Resources

HB 634, introduced by Wallin, Aafedt, Owens, O'Connell, Simpkins, Harp, Devlin, Spaeth, Rice, referred to Committee on Taxation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 151 - Representative Swift moved HB 151 do pass.

Representative Daily moved for cloture. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schyc, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Bardanouve, D. Brown, Gervais, Glaser, Hannah, Harper, Kilpatrick, L. Nelson, O'Keefe, Russell, Spring, Steppler, Whalen.
Total 13

Excused: Compton, Kadas, Marks, McCormick, Peck.
Total 5

Absent or not voting: Harrington, Patterson.

Total 2

Thereupon, HB 151 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Connelly, Daily, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, T. Nelson, O'Connell, O'Keefe, Owens, Peck, Phillips, Quilici, Raney, Ream, Rice, Schye, Simon, Simpkins, Spaeth, Strizich, Swift, Swysgood, Thomas, Westlake, Wyatt.

Total 54

Noes: Bardanoue, Boharski, D. Brown, Campbell, Clark, Cody, Cohen, Darko, Davis, Elliott, Gervais, Glaser, Good, Hannah, Hansen, Iverson, Keller, Kilpatrick, Kimberley, Lee, Mercer, L. Nelson, R. Nelson, Nisbet, Patterson, Pavlovich, Peterson, Ramirez, Rehberg, Roth, Russell, Smith, Spring, Squires, Stang, Stepler, Stickney, Thoft, Wallin, Whalen, Zook, Mr. Speaker.

Total 42

Paired: McCormick, Peck, Ayes; Glaser, Smith, Noes.

Excused: Compton, Kadas, Marks.

Total 3

Absent or not voting: Gilbert.

Total 1

HB 191 - Representative Stang moved HB 191 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanoue, Boharski, Campbell, Cobb, Cody, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harrington, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peterson, Ramirez, Ream, Rehberg, Roth, Russell, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 58

Noes: Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, DeBruycker, DeMars, Ellison, Grady, Guthrie, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Knapp, Moore, T. Nelson, O'Connell, O'Keefe, Phillips, Quilici, Raney, Rice, Schye, Simon, Simpkins, Swift, Swysgood, Thomas, Westlake.

Total 35

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: Gilbert, McDonough.

Total 2

HB 26 - Representative Harper moved consideration of HB 26 be passed for the day. Motion carried.

HB 56 - Representative Whalen moved HB 56 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily,

Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Boharski, Campbell, Gilbert, Glaser, Guthrie, Kasten, Keller, Simon, Thoft.

Total 9

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: Ellison, Hannah, T. Nelson, Thomas.

Total 4

Representative Thomas excused at this time.

HB 165 - Representative Ellison moved HB 165 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Grady, Grinde, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, McDonough, Menahan, Moore, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Raney, Ream, Rice, Roth, Schye, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Wallin, Westlake, Zook, Mr. Speaker.

Total 60

Noes: Bachini, Campbell, Cobb, Cohen, Elliott, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Kimberley, Knapp, Koehnke, Lee, Mercer, L. Nelson, R. Nelson, Phillips, Rehberg, Russell, Simon, Simpkins, Stang, Steppler, Swift, Swysgood, Thoft, Whalen, Wyatt.

Total 31

Excused: Compton, Kadas, Marks, McCormick, Peck, Thomas.

Total 6

Absent or not voting: Davis, Hansen, Ramirez.

Total 3

HB 171 - Representative Swift moved HB 171, second reading copy, be amended as follows:

1. Page 1, line 15.

Following: "(2), a"

Strike: "A"

Insert: "Except as provided in subsection (4), a"

2. Page 1, line 16.

Following: "election"

Strike: "EXCEPT A PERSON SEEKING ELECTION AS A PRECINCT COMMITTEEMAN IN A PRIMARY ELECTION,"

3. Page 3, line 1.

Following: "~~primary election.~~"

Insert: "(4) The requirements in subsection (1) do not apply to a write-in candidate seeking election:

(a) as a precinct committeeman or committeewoman in a primary election; or

(b) where no candidate has filed for the office."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Hansen, Phillips.

Total 2

Excused: Compton, Kadas, Marks, McCormick, Peck, Thomas.

Total 6

Absent or not voting: Ramirez.

Total 1

Representative Swift moved HB 171, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Cohen, Elliott, Giacometto, Glaser, Hannah, L. Nelson, Nisbet, Raney, Rehberg.

Total 9

Excused: Compton, Kadas, Marks, McCormick, Peck, Thomas.

Total 6

Absent or not voting: Ramirez.

Total 1

Representative Thomas present at this time.

HB 244 - Representative Swift moved HB 244 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Blotkamp, Brooke, J. Brown, Connelly, Davis, Hansen, Johnson, Koehnke, Moore, O'Keefe, Ream, Russell, Stepler.

Total 13

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: Menahan.

Total 1

HB 325 - Representative Mercer moved consideration of HB 325 be passed for the day. Motion carried.

HB 327 - Representative Giacometto moved HB 327 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cohen.

Total 1

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: Blotkamp, Menahan, O'Connell.

Total 3

HB 339 - Representative Thomas moved HB 339 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould,

Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: Menahan, O'Connell.

Total 2

HB 340 - Representative Lee moved HB 340 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Cobb, Driscoll, Gould, Grinde, Patterson, Swysgood, Thoft, Wallin.

Total 8

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: Ellison, Hoffman, Menahan, O'Connell.

Total 4

HB 346 - Representative Rice moved HB 346 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, O'Keefe, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Spring, Stepler, Strizich, Thomas, Wallin, Mr. Speaker.

Total 61

Noes: Aafedt, D. Brown, Campbell, Cobb, Daily, DeBruycker, DeMars, Driscoll, Giacometto, Gould, Grinde, Hanson, Harrington, Iverson, Kasten, R. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Phillips, Simpkins, Smith, Squires, Stang, Stickney, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook.

Total 34

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: None.

Total 0

HB 354 - Representative Mercer moved HB 354 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, Daily, Good, Grinde, Hannah, Pavlovich.

Total 6

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: Koehnke, Wallin.

Total 2

HB 367 - Representative O'Keefe moved HB 367 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, Guthrie, Hannah, T. Nelson.

Total 4

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: Koehnke, O'Connell, Phillips, Wallin.

Total 4

HB 372 - Representative Gould moved HB 372 do pass. Motion carried as follows:

Ayes: Addy, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Elliott,

Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 70

Noes: Aafedt, Bachini, Bardanouve, Campbell, Cobb, DeBruycker, DeMars, Driscoll, Grady, Grinde, Hannah, Iverson, Keller, Lee, Owens, Patterson, Peterson, Phillips, Simon, Smith, Swift, Swysgood, Thoft, Thomas.

Total 24

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: Harper.

Total 1

Representative Quilici moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (89-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 177 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Cocchiarella, Stang, Whalen.

Total 3

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: T. Nelson, Quilici, Squires.

Total 3

HB 185 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington,

Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: None.

Total 0

HB 197 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: D. Brown, Cody, Good, Grinde, Guthrie, Hayne, Owens, Swysgood, Thoft, Thomas.

Total 10

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: None.

Total 0

HB 204 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 90

Noes: Aafedt, Gervais, Russell, Whalen, Wyatt.

Total 5

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: None.

Total 0

HB 264 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Campbell, Clark, Cobb, Cohen, Compton, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spring, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 58

Noes: Bachini, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kilpatrick, Kimberley, Lee, McDonough, Menahan, Moore, O'Connell, O'Keefe, Patterson, Pavlovich, Quilici, Raney, Ream, Schye, Simon, Spaeth, Squires, Stang, Whalen, Wyatt.

Total 37

Paired: Compton, Marks, Ayes; Driscoll, Harper, Noes.

Excused: Kadas, McCormick, Peck.

Total 3

Absent or not voting: Grady, Hannah.

Total 2

HB 412 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Clark, Cocchiarella, Driscoll, Harper, Harrington, Ream, Simpkins, Squires, Stang, Stepler, Swysgood, Whalen.

Total 12

Excused: Compton, Kadas, Marks, McCormick, Peck.

Total 5

Absent or not voting: Grady.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

Correctly engrossed: HB 56.

2/10/89

Correctly enrolled: HB 8, HB 23, HB 24, HB 53, HB 55, HB 59, HB 82, HB 83, HB 115, HB 145.

Examined by the sponsors and found to be correct:

HB 8 - Swysgood
HB 23 - Brooke
HB 24 - Brooke
HB 53 - Ramirez
HB 55 - Harrington
HB 59 - Spaeth
HB 82 - O'Keefe
HB 83 - Harrington
HB 115 - McDonough
HB 145 - Ramirez

Signed by the Speaker at 1:30 p.m., 2/10/89: HB 8, HB 23, HB 24, HB 53, HB 55, HB 59, HB 82, HB 83, HB 115, HB 145.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/10/89

HB 557, introduced bill, be amended as follows:

1. Title, lines 9 through 11.

Strike: “,” on line 9 through “MCA” on line 11

2. Pages 1 through 5.

Strike: everything following the enacting clause

Insert: “NEW SECTION. Section 1. Contributions for group life insurance and representation. (1) Unless the police protective association of the city or town chooses not to participate, as provided in [section 2], an employer shall deduct from each police officers’s monthly compensation, except a police chief, assistant chief, or captain, an amount equal to 0.5% of the base salary paid to newly confirmed police officers in the city or town. The employer shall pay this amount on a monthly basis to the treasurer of the Montana police protective association to be used to pay premiums on a group life insurance policy for contributing police officers of participating city and town associations and to defray expenses incurred by the association when representing members of the plan.

(2) An employer may not deduct the amount provided for in subsection (1) from the monthly compensation of a police chief, assistant chief, or captain unless that person notifies his employer in writing to make the deduction.

(3) A person who contributes under this section is a full member of the Montana police protective association and is entitled to all membership rights and benefits, including those benefits provided in subsection (1).

(4) For the purposes of this section, “police officer” means an officer who participates in the police officers’ retirement system under Title 19, chapter 9.

NEW SECTION. Section 2. Nonparticipation. (1) The members of a city or town police protective association may by a vote of three-fourths of the membership cease the participation of all the members in the provision of group life insurance through salary deductions. Salary deductions for payment of group life insurance premiums and representation may not be made by the city or town of the nonparticipating association. An association may resume

participation by a vote of three-fourths of the membership of the city or town police protective association.

(2) Notice of nonparticipation or resumption of participation must be provided to the governing body of the city or town and to the Montana police protective association."

And, as amended, do pass. Report adopted.

HB 573, do pass. Report adopted.

Adverse Committee Report

HB 553, do not pass.

JUDICIARY (D. Brown, Chairman):

2/10/89

HB 390, do pass. Report adopted.

HB 480, introduced bill, be amended as follows:

1. Page 3, line 17.

Following: "property"

Insert: ", tangible or intangible,"

2. Page 3, line 19.

Following: "the"

Insert: "instrument held in"

Following: "escrow"

Strike: "agreement"

3. Page 3, line 22.

Following: "the"

Insert: "instrument held in"

Following: "escrow"

Strike: "agreement"

And, as amended, do pass. Report adopted.

HB 489, do pass. Report adopted.

HB 492, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/10/89

HB 440, do pass. Report adopted.

MOTIONS

Representative Simpkins moved the rules be temporarily suspended to permit the late introduction of a bill. Motion carried.

Representative Quilici moved he be allowed to change his vote on HB 264, third reading, from yes to no. Motion carried.

Representative Mercer moved consideration of HB 325 be passed until the 37th legislative day. Motion carried.

Representative Whalen moved HB 56 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Harper moved consideration of HB 26 be passed until the 37th legislative day. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 543: Moore, Brooke, Davis, Koehnke, J. Brown, Ream, McDonough, Squires, O'Connell, Wyatt, McCormick, Bachini, Cocchiarella, Lynch, Pavlovich, Daily, Kilpatrick,

Stickney, Russell, Addy, Kimberley, Whalen, Gervais, Strizich, DeMars, Johnson, Bradley, Glaser, Smith, R. Nelson, O'Keefe, Raney, Owens, Vincent, Nisbet, Clark, Zook, Phillips, Van Valkenburg, Peterson, B. Brown, Harp, Manning, Vaughn, Walker, Jergeson, Yellowtail, Anderson, Driscoll, Harrington, and Darko.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:00 a.m., Saturday, February 11, 1989.

Motion carried.

House adjourned at 3:13 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 11, 1989

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Kilpatrick. Pledge of Allegiance to the Flag.

Roll call. All members present except Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, and Peck, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/11/89

Correctly printed: HB 186, HB 205, HB 289, HB 342, HB 390,
HB 403, HB 426, HB 440, HB 464, HB 478, HB 480, HB 489,
HB 492, HB 505, HB 549, HB 557, HB 573.

Correctly engrossed: HB 171.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

2/10/89

HB 173, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "5"

Insert: "6"

2. Title, line 6.

Strike: "ANNUAL"

Insert: "AVERAGE"

3. Page 1, line 18.

Strike: "1988-89"

Insert: "1990"

Strike: "1993-94"

Insert: "1995"

4. Page 1, line 22.

Strike: "1988-89"

Insert: "1990"

5. Page 1, line 23.

Strike: "1989-90"

Insert: "1991"

6. Page 2, line 2.

Strike: "1989-90"

Insert: "1991"

7. Page 2, line 3.

Strike: "1990-91"

Insert: "1992"

8. Page 2, line 7.

Strike: "1990-91"

Insert: "1992"

9. Page 2, line 8.

Strike: "1991-92"

Insert: "1993"

10. Page 2, line 12.

Strike: "1991-92"

Insert: "1993"

11. Page 2, line 13.

Strike: "1992-93"

Insert: "1994"

12. Page 2, line 16.

Strike: "1992-93"

Insert: "1994"

13. Page 2, line 17.

Strike: "1993-94"

Insert: "1995"

And, as amended, do pass. Report adopted.

HB 332, do pass. Report adopted.

HB 449, do pass. Report adopted.

HB 519, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AND"

2. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 4, line 5.

Following: line 4

Insert: "NEW SECTION. Section 1. Effective date. [This act] is effective July 1, 1990."

And, as amended, do pass. Report adopted.

HB 527, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

2/10/89

HB 232, introduced bill, be amended as follows:

1. Page 7, line 23.

Following: "If"

Insert: "House"

2. Page 7, line 24.

Following: line 23

Insert: "70"

3. Page 7, line 25.

Following: "45-8-319"

Insert: "by enacting a fee for the original issuance of a permit"

4. Page 8, line 1.

Following: "void"

Insert: ", the fee for the original issuance of a permit inserted in 45-8-319 by House Bill No. 70 [LC 72] is increased by \$25, and the code commissioner is directed to insert in that part of 45-8-319 that relates to the distribution of the permit fee money a provision stating that: \"\$25 must be deposited in the district court fund and, if no such fund exists, then in the county general fund to be used for district court operations\""

And, as amended, do pass. Report adopted.

HB 313, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "PROVIDE THAT THOUGH LIABLE FOR NEGLIGENCE,"

Insert: "STATE THE DUTIES OF"

2. Title, lines 6 and 7.

Strike: "IS NOT LIABLE FOR AN INJURY CAUSED BY A RISK"

Insert: "AND A SKIER; TO PROVIDE THAT A SKIER ACCEPTS RESPONSIBILITY FOR RISKS"

3. Page 2, line 3.

Strike: "frivolous lawsuits"

Insert: "claims based on damages resulting from risks inherent in the sport"

4. Page 2, line 24.

Strike: "A"

Insert: "Consistent with the duty of reasonable care owed by a ski area operator to a skier, a"

5. Page 5, line 15.

Strike: "who is skiing"

6. Page 5, line 25.

Strike: "the skier"

Insert: "he"

7. Page 6, line 4.

Following: "injury"

Insert: "or damage"

Strike: "that he suffers"

Insert: "to the extent"

Following: "that"

Insert: "the injury or damage"

8. Page 6, line 6.

Strike: "include but"

Strike: "not limited to"

9. Page 6, lines 15 through 19.

Strike: "forest growth" on line 15 through "skiing activity" on line 19

Insert: "skiing in an area not designated as a ski trail"

10. Page 6, lines 20 through 23.

Strike: " " at end of line 20 through "signs" on line 23

Insert: "or equipment"

11. Page 7, line 1.

Following: "operator;"

Insert: "and"

12. Page 7, lines 2 through 6.

Strike: " " on line 2 through "duties" on line 6

And, as amended, do pass. Report adopted.

HB 336, introduced bill, be amended as follows:

1. Page 2, lines 10, 13, and 24.

Following: "age," on each line

Insert: "familial status,"

2. Page 3, lines 11 through 24.

Strike: subsection (4) in its entirety

Insert: "(4) The prohibitions of this section against discrimination because of familial status do not extend to housing for older persons. "Housing for older persons" means housing:

(a) provided under any state or federal program specifically designed and operated to assist elderly persons;

(b) intended for, and solely occupied by, persons 62 years of age or older; or

(c) intended and operated for occupancy by at least one person 55 years of age or older per unit in accordance with the provisions of 42 U.S.C. 3605 (b)(2)(C) and (3) and 24 C.F.R. 100.304, as those sections read on [the effective date of this act].

(5) For purposes of this section, "familial status" means having a child or children who live or will live with a person. A distinction based on familial status includes one that is based on the age of a child or children who live or will live with a person."

And, as amended, do pass. Report adopted.

HB 450, introduced bill, be amended as follows:

1. Title, lines 10 through 13.

Strike: "CREATING" on line 10 through "OFFENSE;" on line 13

2. Page 2, line 3.

Following: "town"

Insert: "and upon any property owned or leased by the city or town"

3. Page 2, line 17 through page 3, line 2.

Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

HB 491, introduced bill, be amended as follows:

1. Page 2, line 13.

Strike: "When"

Insert: "The allotment of time between the parents must be as equal as possible; however:

(a) each case shall be determined according to its own practicalities, with the best interest of the child as the primary consideration; and

(b) when"

2. Page 2, line 14.

Strike: ", in addition to the factors set forth in 40-4-212,"

And, as amended, do pass. Report adopted.

HB 512, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PRODUCT"

Strike: " "

Insert: "OR"

Following: "STRUCTURE"

Strike: ", OR"

2. Title, line 6.

Strike: "SERVICE"

3. Page 2, lines 5, 7, and 12.

Strike: the first comma in each line

Insert: "or"

4. Page 2, lines 5 and 12.

Strike: ", or service"

5. Page 2, line 7.

Strike: ", or rendering of the service,"

6. Page 2, line 8.

Following: "with"

Insert: "relevant"

7. Page 2, line 11.

Strike: "performance,"

And, as amended, do pass. Report adopted.

Representative Russell present at this time.

ADVERSE COMMITTEE REPORTS

HB 551 - Representative Ream moved the 2/10/89 adverse committee report on HB 551 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Compton, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Grady, Hannah, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Peterson, Phillips, Raney, Ream, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Mr. Speaker.

Total 69

Noes: D. Brown, Clark, Cobb, Daily, Driscoll, Giacometto, Good, Gould, Grinde, Guthrie, Hanson, Harrington, Nisbet, Pavlovich, Quilici, Ramirez, Rehberg, Rice, Zook.

Total 19

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck, Russell.

Total 9

Absent or not voting: Patterson, Stang, Whalen.

Total 3

HB 553 - Representative Pavlovich moved the 2/10/89 adverse committee report on HB 553 be adopted.

Representative Grady made a substitute motion that HB 553 be tabled. Motion carried as follows:

Ayes: Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Darko, Davis, DeBruycker, Driscoll, Elliott, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, McDonough, Menahan, Mercer, R. Nelson, O'Keefe, Pavlovich, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Simon, Squires, Steppler, Stickney, Strizich, Swift, Thomas, Whalen, Wyatt, Mr. Speaker.

Total 54

Noes: Aafedt, Addy, Bachini, Bardanouve, Daily, DeMars, Ellison, Eudaily, Gilbert, Hannah, Hansen, Hayne, Keller, Kimberley, Knapp, Koehnke, Lee, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peterson, Ream, Rice, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Swysgood, Thoft, Wallin, Westlake, Zook.

Total 37

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 8

Absent or not voting: Stang.

Total 1

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/10/89

SB 70, introduced by Norman
SB 74, introduced by Regan
SB 80, introduced by Himsl
SB 118, introduced by Beck
SB 143, introduced by McLane
SB 186, introduced by Boylan
SB 196, introduced by Yellowtail
SB 218, introduced by Thayer
SB 281, introduced by Mazurek

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

February 10, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bills 3, 67 and 85 on February 10, 1989.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 635, introduced by Hoffman, Swift, Beck, Clark, Patterson, Grady, Guthrie, Giacometto, Kasten, Iverson, referred to Committee on Business and Economic Development
HB 636, introduced by Pavlovich (by request of the Department of Institutions), referred to Committee on State Administration
HB 638, introduced by Ramirez, Pavlovich, referred to Committee on Taxation
HB 639, introduced by Driscoll, referred to Committee on Labor and Employment Relations

- HB 640**, introduced by Quilici, Driscoll, Pavlovich, Daily, Harrington, referred to Committee on Appropriations
- HB 641**, introduced by Quilici, Driscoll, Pavlovich, Daily, Harrington, Mercer, referred to Committee on Taxation
- HB 642**, introduced by Strizich, Gage, referred to Committee on Judiciary
- HB 643**, introduced by Wallin, Devlin, referred to Committee on Taxation
- HB 644**, introduced by Harrington, Daily, Squires, Pavlovich, Lynch, Driscoll, D. Brown, Strizich, Menahan, Quilici, Russell, Stimatz, Cocchiarella, Walker, Pipinich, referred to Committee on Labor and Employment Relations
- HB 645**, introduced by Addy, referred to Committee on Business and Economic Development
- HB 646**, introduced by Simpkins, Rice, Mercer, Harper, Gould, Kasten, Moore, Patterson, R. Nelson, Lee, Thomas, Swift, D. Brown, Cobb, T. Nelson, O'Connell, Ramirez, Giacometto, DeBruycker, Hannah, Wallin, Keller, Eudaily, Spring, Phillips, referred to Committee on Education and Cultural Resources
- HB 647**, introduced by Kadas, Pinsoneault, Halligan, Eudaily, Spaeth, referred to Committee on Local Government
- HB 648**, introduced by Cobb (by request of the Department of Administration), referred to Committee on Appropriations
- HJR 23**, introduced by Cobb, Good, Guthrie, Swysgood, Grinde, Campbell, Hanson, Grady, Thoft, Swift, Iverson, Patterson, Spaeth, Ellison, Glaser, Hoffman, Boharski, referred to Committee on Agriculture, Livestock, and Irrigation

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 101 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Menahan.

Total 1

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 8

Absent or not voting: None.

Total 0

HB 247 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Grady, Hansen, Harper, Harrington, Johnson, Kilpatrick, Kimberley, Koehnke, McDonough, Menahan, Mercer, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 56

Noes: Boharski, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Rice, Simon, Simpkins, Spring, Swift, Swysgood, Wallin, Zook.

Total 36

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 8

Absent or not voting: None.

Total 0

HB 341 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, McDonough, Menahan, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Boharski, Clark, Driscoll, Ellison, Giacometto, Gilbert, Good, Hannah, Hayne, Kasten, Koehnke, Lee, Mercer, Peterson, Rehberg, Simon, Spring.

Total 17

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 8

Absent or not voting: None.

Total 0

HB 365 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spring,

Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: DeBruycker, Ellison, Phillips, Spaeth, Stang, Swysgood.

Total 6

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 8

Absent or not voting: Simon.

Total 1

HB 374 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Cobb, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Raney, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Steppler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Zook.

Total 70

Noes: Aafedt, Brooke, Clark, Cocchiarella, Cohen, Eudaily, Good, Gould, Hansen, Lee, Phillips, Ramirez, Ream, Rehberg, Rice, Squires, Stang, Swysgood, Thoft, Wallin, Wyatt, Mr. Speaker.

Total 22

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 8

Absent or not voting: None.

Total 0

HB 385 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Clark, Cohen, Compton, Daily, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 69

Noes: Bardanouve, Bradley, Brooke, Cobb, Cocchiarella, Darko, Elliott, Grinde, Guthrie, Hansen, Koehnke, Nisbet, O'Keefe, Raney, Ream, Squires, Stang, Steppler, Thoft, Westlake.

Total 20

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 8

Absent or not voting: Gilbert, O'Connell, Simon.

Total 3

HB 386 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 8

Absent or not voting: None.

Total 0

HB 392 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Clark.

Total 1

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 8

Absent or not voting: Guthrie.

Total 1

HB 423 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee,

McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Elliott, Gilbert, Spaeth.

Total 3

Excused: Campbell, Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 8

Absent or not voting: None.

Total 0

Representative Campbell present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Ramirez in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 388 - Representative Mercer moved HB 388 do pass.

Representative Mercer made a substitute motion HB 388 be placed at the bottom of the second reading board. Motion carried.

HB 394 - Representative Clark moved HB 394 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Campbell, Elliott, Gervais, Gilbert, Good, Grinde, Hayne, Kasten, Lee, Owens, Pavlovich, Phillips, Ramirez, Simon, Simpkins, Swysgood, Thoft, Thomas.

Total 18

Excused: Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 7

Absent or not voting: Roth.

Total 1

HB 401 - Representative D. Brown moved HB 401 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Campbell, Elliott, Gilbert, Hansen, Koehnke, Russell, Swysgood.

Total 7

Excused: Cody, Connelly, Kadas, Marks, McCormick, Moore, Peck.

Total 7

Absent or not voting: DeBruycker, Grinde, Harrington, Roth.

Total 4

Representative Moore present at this time.

HB 407 - Representative Addy moved HB 407 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gould, Grady, Hannah, Hansen, Harper, Harrington, Johnson, Kasten, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 59

Noes: Aafedt, Boharski, Campbell, Cobb, Ellison, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hanson, Hayne, Iverson, Keller, Knapp, R. Nelson, T. Nelson, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Wallin.

Total 34

Paired: Cody, McCormick, Ayes; Giacometto, Owens, Noes.

Excused: Connelly, Kadas, Marks, Peck.

Total 4

Absent or not voting: Bardanouve, Clark, Hoffman.

Total 3

HB 419 - Representative Koehnke moved HB 419 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T.

Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Clark, Stang.

Total 2

Excused: Cody, Connelly, Kadas, Marks, McCormick, Peck.

Total 6

Absent or not voting: Hannah.

Total 1

HB 421 - Representative R. Nelson moved HB 421 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cobb, Gilbert, Kasten.

Total 3

Excused: Cody, Connelly, Kadas, Marks, McCormick, Peck.

Total 6

Absent or not voting: None.

Total 0

Representative R. Nelson excused at this time.

HB 429 - Representative Grady moved HB 429 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Hansen.

Total 1

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

Representative Bardanouve excused at this time.

HB 430 - Representative Grady moved HB 430 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Hansen.

Total 1

Excused: Bardanouve, Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 8

Absent or not voting: Spring.

Total 1

HB 431 - Representative Grady moved HB 431 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 83

Noes: Darko, Driscoll, Hannah, Hansen, Raney, Squires, Stang, Whalen, Wyatt.

Total 9

Excused: Bardanouve, Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 8

Absent or not voting: None.

Total 0

HB 432 - Representative Eudaily moved HB 432 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Clark, Cobb, Giacometto, Hannah.

Total 4

Excused: Bardanouve, Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 8

Absent or not voting: Ellison.

Total 1

Representative Bardanouve present at this time.

HB 433 - Representative Bachini moved HB 433 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Campbell, Cobb, DeBruycker, Ellison, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Hansen, Hayne, Kasten, Keller, Lee, Phillips, Roth, Simpkins, Smith, Stepler, Thoft.

Total 20

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Stickney.

Total 1

HB 439 - Representative Kilpatrick moved HB 439 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Good, Gould, Hansen, Harper, Harrington, Hayne, Iverson, Johnson,

Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Bardanouve, Clark, Cobb, Ellison, Gilbert, Glaser, Grinde, Guthrie, Hannah, Hanson, Hoffman, Lee, T. Nelson, Ramirez, Roth, Simon, Simpkins, Thomas.

Total 18

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Grady, Squires.

Total 2

HB 443 - Representative Whalen moved HB 443 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Aafedt, Grinde, Hansen, Hanson, Owens.

Total 5

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Cobb, Eudaily, Grady.

Total 3

HB 455 - Representative Zook moved HB 455 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cohen, Compton, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Bachini, Brooke, Campbell, Cocchiarella, Daily, Driscoll, Ellison, Gervais, Glaser, Grady, Koehnke, Lee, Menahan, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Stang, Stepler, Strizich, Swysgood, Thoft, Whalen.

Total 28

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Bardanoue.

Total 1

HB 462 - Representative Harper moved HB 462 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanoue, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Keller, Kilpatrick, Kimberley, McDonough, Menahan, Mercer, Moore, L. Nelson, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 67

Noes: Campbell, Clark, Cobb, DeBruycker, Ellison, Good, Grinde, Guthrie, Hanson, Hayne, Hoffman, Kasten, Knapp, Koehnke, Lee, T. Nelson, Peterson, Simpkins, Stepler, Swift, Swysgood, Thomas, Wallin.

Total 23

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Nisbet, O'Connell, Schye.

Total 3

HB 463 - Representative Thoft moved HB 463, second reading copy, be amended as follows:

1. Page 12.

Following: line 18

Insert: "(b) review options related to scheduling and coordinating water use with affected water right holders;"

Renumber: subsequent subsections

2. Page 13.

Following: line 7

Insert: "(5) Nothing in this section allows a water mediator to require any valid water right holder to compromise or reduce any of his existing water rights."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Bardanouve, Daily, Ellison, Pavlovich, Roth, Simpkins.

Total 6

Representative Thoft moved HB 463, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Hoffman, Swift.

Total 2

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: J. Brown, DeBruycker.

Total 2

HB 467 - Representative Brooke moved HB 467 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 470 - Representative Rice moved HB 470 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Compton, Daily, Darko, Davis, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 84

Noes: Cocchiarella, Cohen, DeBruycker, Driscoll, Gervais, Guthrie, Stepler, Whalen, Wyatt.

Total 9

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 471 - Representative Glaser moved HB 471 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Cobb, Ellison, Good, Hoffman, Spring, Stepler, Swift, Swysgood.

Total 8

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Peterson.

Total 1

HB 481 - Representative Spring moved HB 481 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T.

Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 484 - Representative Hannah moved HB 484, second reading copy, be amended as follows:

1. Title, line 6.

Following: "PURPOSES"

Insert: "AND GOVERNMENT USES"

2. Title, line 8.

Following: "COMMERCIAL"

Insert: "OR GOVERNMENT"

3. Page 1, line 17.

Following: "commercial"

Insert: "or government"

4. Page 1, line 20.

Following: "commercial"

Insert: "or government"

5. Page 2, line 3.

Following: "person"

Insert: "or government unit"

6. Page 2, line 5.

Following: "person's"

Insert: "or government unit's"

7. Page 2, line 7.

Following: "commercial"

Insert: "or government"

8. Page 2, line 17.

Following: "persons"

Insert: "and government units"

9. Page 2, line 20.

Following: "persons"

Insert: "and government units"

10. Page 2, line 22.

Following: "person"

Insert: "or government unit"

11. Page 3, line 1.

Following: "commercial"

Insert: "or government"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

Representative Hannah moved HB 484, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Westlake.

Total 1

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 487 - Representative McDonough moved HB 487 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T.

Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 532 - Representative Gould moved HB 532 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Schye.

Total 1

HB 550 - Representative Vincent moved HB 550 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Ellison, Gilbert, Grinde, Guthrie, Kasten, Steppler, Swift.

Total 8

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Schye.

Total 1

HB 570 - Representative Spaeth moved HB 570 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 90

Noes: Stang, Steppler, Wyatt.

Total 3

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HJR 15 - Representative J. Brown moved HJR 15 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HJR 16 - Representative Hannah moved HJR 16 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Clark, Cohen, Compton, Daily, Darko, DeBruycker,

DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 80

Noes: Brooke, Campbell, Cobb, Cocchiarella, Davis, Hansen, Kilpatrick, Ream, Spaeth, Squires, Stickney, Wyatt.
Total 12

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.
Total 7

Absent or not voting: McDonough.
Total 1

HJR 17 - Representative Schye moved HJR 17 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Lee.
Total 1

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.
Total 7

Absent or not voting: Menahan, Whalen.
Total 2

HB 20 - Representative D. Brown moved HB 20, second reading copy, be amended as follows:

1. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 2.

Following: line 10

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 1990."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton,

Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Blotkamp, Hannah, Owens.

Total 3

Representative D. Brown moved HB 20, as amended, do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Daily, Darko, Davis, Driscoll, Elliott, Eudaily, Gervais, Glaser, Gould, Guthrie, Hansen, Harper, Harrington, Johnson, Kilpatrick, Kimberley, McDonough, Menahan, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Russell, Schye, Simon, Squires, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 46

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, DeMars, Ellison, Giacometto, Gilbert, Good, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Rehberg, Rice, Roth, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 48

Paired: D. Brown, Aye; R. Nelson, No.

Excused: Cody, Connelly, Kadas, Marks, McCormick, Peck.

Total 6

Absent or not voting: None.

Total 0

HB 238 - Representative Whalen moved consideration of HB 238 be passed for the day. Motion carried.

HB 295 - Representative Addy moved HB 295 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth,

Spring, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 74

Noes: Campbell, Clark, DeBruycker, Good, Grinde, Guthrie, Hanson, Hoffman, Kasten, Owens, Patterson, Phillips, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 18

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Hannah.

Total 1

HB 335 - Representative Hayne moved HB 335 do pass.

Representative Hayne made a substitute motion consideration of HB 335 be passed for the day. Motion carried.

HB 344 - Representative Nisbet moved HB 344 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Schye.

Total 1

HB 345 - Representative Thomas moved HB 345 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Campbell, Elliott, Grinde, Guthrie, Keller, Peterson, Spaeth, Stang, Swysgood.

Total 9

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Bardanouve, Hannah, L. Nelson, Simon.

Total 4

HB 349 - Representative Strizich moved HB 349 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Gilbert, Grinde.

Total 3

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 350 - Representative Strizich moved HB 350 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Hayne, Owens, Simpkins.

Total 3

HB 351 - Representative Strizich moved HB 351 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Wallin, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: DeMars, Giacometto, Gilbert, Grinde, Hanson, Hoffman, Simon, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen.
Total 13

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.
Total 7

Absent or not voting: J. Brown, Ellison.
Total 2

HB 353 - Representative Cobb moved HB 353 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: DeBruycker, Ellison, Giacometto, Gilbert, Owens, Roth, Whalen.
Total 7

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.
Total 7

Absent or not voting: Bardanouve.
Total 1

HB 378 - Representative Squires moved HB 378 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici,

Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Aafedt, Ellison, Guthrie, Owens, Smith.

Total 5

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 400 - Representative Vincent moved HB 400 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kilpatrick, Kimberley, Knapp, Koehnke, McDonough, Menahan, Mercer, Moore, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Aafedt, Boharski, Campbell, Ellison, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Hoffman, Kasten, Keller, Lee, L. Nelson, T. Nelson, Owens, Phillips, Ramirez, Rehberg, Roth, Simpkins, Spring, Stepler, Swift, Swysgood, Thoft, Thomas.

Total 27

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 459 - Representative J. Brown moved HB 459 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Zook, Mr. Speaker.

Total 86

Noes: Ellison, Hannah, Knapp, O'Connell, O'Keefe, Wallin, Wyatt.

Total 7

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 488 - Representative Brooke moved HB 488 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Good, Grinde, Owens, Swysgood.

Total 4

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

HB 531 - Representative Clark moved HB 531 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Raney, Stepler, Swysgood, Thoft.

Total 4

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Wallin.

Total 1

HB 533 - Representative Davis moved HB 533 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman,

Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Bardanouve.

Total 1

HB 388 - Representative Mercer moved HB 388, second reading copy, be amended as follows:

1. Title, line 8.

Strike: "THAT EACH PARCEL"

Insert: "OPTIONS FOR THE ASSESSMENT"

2. Title, line 9.

Strike: "IS TO BE ASSESSED AS EQUALLY AS POSSIBLE"

3. Page 1, line 21.

Following: "road's"

Strike: "construction,"

4. Page 4, line 12.

Following: "the"

Strike: "construction,"

5. Page 4.

Strike: "as equally" on page 4, line 23 through "assessment." on page 5, line 2

Insert: "based upon the benefits received, and the board of county commissioners shall adopt one or any combination of the following methods of assessment for improvements made for the benefit of the district:

(a) Each parcel of land assessed in such district may be assessed with that part of the whole cost which its assessable area bears to the assessable area of all the benefited parcels in the district, exclusive of roads and public places. For the purposes of this subsection (1)(a), "assessable area" means an area of a parcel of land representing the benefit conferred upon the parcel by the improvement. Assessable area may be less than but may not exceed the actual area of the parcel.

(b) Each parcel of land assessed in the district may be assessed with that part of the whole cost of the improvement based upon the assessed value of the benefited parcels of land within said district, if the board determines such assessment to be equitable in proportion to and not exceeding the benefits received from the improvement by the parcel.

(c) Each parcel of land in the district abutting upon the road where the improvement has been made may be assessed in proportion to its lineal feet abutting the road.

(2) The board may use one or any combination of methods of assessment in a single road improvement district and, if more than one improvement is undertaken, need not assess each parcel in the district for the cost of all the improvements."

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Stepler.

Total 1

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: None.

Total 0

Representative Mercer moved HB 388, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: O'Keefe, Stepler, Whalen.

Total 3

Excused: Cody, Connelly, Kadas, Marks, McCormick, R. Nelson, Peck.

Total 7

Absent or not voting: Bardanouve, Ellison.

Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ramirez moved the adoption of the committee report. Report adopted. (91-0)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/11/89

Correctly engrossed: HB 151, HB 165, HB 191, HB 244, HB 327, HB 339, HB 340, HB 346, HB 354, HB 367, HB 372.

Correctly enrolled: HB 14, HB 22, HB 36.

Examined by the sponsors and found to be correct:

HB 14 - Cobb

HB 22 - Brooke

HB 36 - Schye

Signed by the Speaker at 11:30 a.m., 2/11/89: HB 14, HB 22, HB 36.

Delivered to the Governor for his approval at 8:55 a.m., 2/11/89: HB 8, HB 23, HB 24, HB 53, HB 55, HB 59, HB 82, HB 83, HB 115, HB 145.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):

2/11/89

HB 190, do pass. Report adopted.

HJR 22, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

2/11/89

HB 66, introduced bill, be amended as follows:

1. Title, line 7.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 3.

Following: line 3

Insert: "NEW SECTION. Section 4. Termination date. [This act] terminates July 1, 1991."

And, as amended, do pass. Report adopted.

HB 253, introduced bill, be amended as follows:

1. Page 1, line 24.

Strike: "and personally"

2. Page 2, lines 9 through 11.

Strike: subsection (8) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 381, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "OFFER COVERAGE FOR THE FORMULA NECESSARY IN"

Insert: "PROVIDE COVERAGE FOR"

2. Title, line 7.

Following: ":",

Insert: "AMENDING SECTION 33-31-102, MCA;"

3. Page 1, line 11.

Strike: "children"

Insert: "persons"

4. Page 1, lines 14 and 15.

Strike: "children" on line 14 through "formula" on line 15

Insert: "maintaining a normalized blood level of phenylalanine is the only treatment of the disease"

5. Page 1, line 16.

Strike: "formula children"

Insert: "treatment patients"

6. Page 1, lines 18 and 19.

Strike: "this" on line 18 through "is not" on line 19

Insert: "not all costs of treating phenylketonuria are"

7. Page 1, line 24 through page 2, line 3.

Following: line 23

Strike: remainder of section 1

Insert: "treatment. (1) Each group or individual disability policy, certificate of insurance, and membership contract that is delivered, issued for delivery, renewed, extended, or modified in this state and that provides coverage for a family member of the insured or subscriber must provide coverage for the treatment of phenylketonuria.

(2) For the purpose of this section, "treatment" means licensed professional medical services under the supervision of a physician and a dietary formula product to achieve and maintain normalized blood levels of phenylalanine and adequate nutritional status.

(3) These services are subject to the terms of the applicable group or individual disability policy, certificate, or membership contract that establishes durational limits, dollar limits, deductibles, and copayment provisions as long as the terms are not less favorable than for physical illness generally.

Section 2. Section 33-31-102, MCA, is amended to read:

"33-31-102. Definitions. As used in this chapter, unless the context requires otherwise, the following definitions apply:

(1) "Agent" means an individual, partnership, or corporation appointed or authorized by a health maintenance organization to solicit applications for health care services agreements on its behalf.

(2) "Basic health care services" means:

(a) consultative, diagnostic, therapeutic, and referral services by a provider;

(b) inpatient hospital and provider care;

(c) outpatient medical services;

(d) medical treatment and referral services;

(e) accident and sickness services by a provider to each newborn infant of an enrollee pursuant to 33-31-301(3)(e);

(f) care and treatment of mental illness, alcoholism, and drug addiction;

(g) diagnostic laboratory and diagnostic and therapeutic radiologic services; and

(h) preventive health services, including:

(i) immunizations;

(ii) well-child care from birth;

- (iii) periodic health evaluations for adults;
- (iv) voluntary family planning services;
- (v) infertility services; and
- (vi) children's eye and ear examinations conducted to determine the need for vision and hearing correction; and
- (i) treatment for phenylketonuria. "Treatment" means licensed professional medical services under the supervision of a physician and a dietary formula product to achieve and maintain normalized blood levels of phenylalanine and adequate nutritional status.
- (3) "Commissioner" means the commissioner of insurance of the state of Montana.
- (4) "Department of health" means the department of health and environmental sciences provided for in 2-15-2101.
- (5) "Director" means the director of the department of health and environmental sciences provided for in 2-15-2102.
- (6) "Enrollee" means a person:
 - (a) who enrolls in or contracts with a health maintenance organization;
 - (b) on whose behalf a contract is made with a health maintenance organization to receive health care services; or
 - (c) on whose behalf the health maintenance organization contracts to receive health care services.
- (7) "Evidence of coverage" means a certificate, agreement, policy, or contract issued to an enrollee setting forth the coverage to which the enrollee is entitled.
- (8) "Health care services" means:
 - (a) the services included in furnishing medical or dental care to a person;
 - (b) the services included in hospitalizing a person;
 - (c) the services incident to furnishing medical or dental care or hospitalization; or
 - (d) the services included in furnishing to a person other services for the purpose of preventing, alleviating, curing, or healing illness, injury, or physical disability.
- (9) "Health care services agreement" means an agreement for health care services between a health maintenance organization and an enrollee.
- (10) "Health maintenance organization" means a person who provides or arranges for basic health care services to enrollees on a pre-paid or other financial basis, either directly through provider employees or through contractual or other arrangements with a provider or a group of providers.
- (11) "Person" means:
 - (a) an individual;

- (b) a group of individuals;
- (c) an insurer, as defined in 33-1-201;
- (d) a health service corporation, as defined in 33-30-101;
- (e) a corporation, partnership, facility, association, or trust; or
- (f) an institution of a governmental unit of any state licensed by that state to provide health care, including but not limited to a physician, hospital, hospital-related facility, or long-term care facility.

(12) "Plan" means a health maintenance organization operated by an insurer or health service corporation as an integral part of the corporation and not as a subsidiary.

(13) "Provider" means a physician, hospital, hospital-related facility, long-term care facility, dentist, osteopath, chiropractor, optometrist, podiatrist, psychologist, licensed social worker, registered pharmacist, or nurse specialist as specifically listed in 37-8-202 who treats any illness or injury within the scope and limitations of his practice or other person who is licensed or otherwise authorized in this state to furnish health care services.

(14) "Uncovered expenditures" mean the costs of health care services that are covered by a health maintenance organization and for which an enrollee is liable if the health maintenance organization becomes insolvent."

8. Page 2, line 10.

Following: first "of Title 33,"

Insert: "chapter 22, part 1,"

Following: second "Title 33"

Insert: ", chapter 22, part 1,"

And, as amended, do pass. Report adopted.

HB 458, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "ACT," on line 6

Strike: "AND"

Following: "MCA" on line 7

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1.

Following: line 7

Insert: "WHEREAS, the practice of direct-entry midwifery has been practiced in the state of Montana since territorial days; and

WHEREAS, it is the intent of the legislature to allow direct-entry midwives to continue serving Montana parents without fear of criminal prosecution; and

WHEREAS, the Legislature urges direct-entry midwives to establish standards of practice during an upcoming legislative session.

THEREFORE, the Legislature of the State of Montana finds it reasonable and necessary to maintain the current status of direct-entry midwives in the state."

3. Page 3, line 23.

Following: "labor,"

Insert: "natural childbirth,"

4. Page 4.

Following: line 10

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/11/89

HB 584, do pass. Report adopted.

HJR 6, do pass and be placed on consent calendar. Report adopted.

MOTIONS

Representative Spaeth moved HB 353, HB 400, HB 433, HB 462, HB 463, HB 532, and HB 550 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Thoft moved HB 401 be taken from engrossing and rereferred to the Committee on Appropriations. Motion failed. (46-45)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Susan Brooke, Missoula

Mark Day, Billings

Tamara Fisher, Big Sandy

Glenn Kawabata, Kalispell

Angela King, Twin Bridges

Buffi Klempel, Glendive

Stewart Redfield, Lakeside

Leslie Robbins, Kalispell

Representative Harper moved the House adjourn until 12:00 noon, Monday, February 13, 1989.

Motion carried.

House adjourned at 12:22 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 13, 1989

House Chambers
State Capitol

House convened at 12:00 noon, Mr. Speaker in the Chair. Invocation by Bishop Roy I. Sano, Denver Area United Methodist Church. Pledge of Allegiance to the Flag.

Roll call. All members present except Spring, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

Speaker Vincent announced Congressman Pat Williams was here to address the members of the House and appointed Representatives Bradley and Good to escort him to the rostrum where he was introduced and delivered the following address:

As you know, I too served in this chamber. That was twenty years ago.

Events not of my making necessitate that I inform you, with some sadness, that this will likely be the last time that I will speak to you in this chamber as your Congressman.

I feel obligated to tell you this because I am informed by the Deer Lodge County Delegation that the next time I address you we will not be here, but rather in the new Capitol building, located on Park Street over in Anaconda.

Isn't that right, Menahan?

As one who first learned his politics in Butte-Anaconda, I ask you to please note my quickness in pointing out that I have been a resident of Helena for the past eighteen years. I earnestly encourage the Lewis and Clark Delegation to stay alert and do what you can to protect my ... other home town of Helena.

Hang in there, Tom Hannah.

In these past hundred years of statehood, no force or figure, no event or enterprise, has shaped Montana's destiny more powerfully or profoundly than has the land.

From the beginning, from the first wagon tracks cut across the plains and the first traps hidden in the forests, the first axes cracked against a stand of pine and first shovel laid against a vein of riches, Montana's immense land has beckoned grand dreams, birthed an indefatigable spirit, and brought prosperous livelihoods to generations of families.

This land, too has born a constant and often violent struggle — one played out over and over again across these past decades.

Honyockers sought quick riches from a resistant land and were often rejected and swept away.

Cattle barons and homesteaders, in legendary and deadly wars, sought control of the land's vast range.

Ranchers and miners feuded for the land's precious waters.

And great and powerful companies battled for the ultimate riches of the land — for eminent domain, the legal authority to subjugate the land to their own interests.

Montana's many struggles for the land have often been the same — pitting private gain against public good, private profit against worker's wages.

It was a struggle that punctuated and colored our first one hundred years.

Now, as we step off into Montana's second century, the struggle is with us still. For all of this decade and more, we Montanans have considered how to resolve the management of Montana's remaining roadless public lands. Six million acres of federal lands within our state remain in legal limbo; unharvested and unprotected. Priceless lands, the fate of which is still to be determined.

Perhaps our state's inability to reach quicker agreement was predictable. After all, these lands are among America's only remaining wild places.

Montana is the brow of America's last hill. We are, all of us, all Americans poised on this final summit considering the last best place.

Our generation of citizens is entrusted with an opportunity that has been given to no others. Of all the generations that have gone before, it is for us to make the final decision. Which of the remaining wild lands will be developed and which will be preserved?

That is not an easy choice, but I suspect that none of us would trade places with any other Montanans living at any other time. For our decision is not only a challenge, but an honor. And, how we decide it will be among the most important public policy determinations in all of America's and Montana's legislative history.

Our state, not unlike many others, has serious economic problems. As each of you understand, the acts of Congress, for the most part, affect every state. It is very difficult, and generally considered outside of Congressional prerogative, to pass individual federal laws significantly affecting the economy of only one area. The Congressional purpose is to serve the Union and only occasionally can we move legislation which, incidentally provides economic assistance to a single state or city.

However, there is one bill that the Montana Congressional Delegation, acting in concert with our other colleagues in the U.S. House and Senate, could pass which would have a dramatic, sweeping and profound effect upon Montana's economic future. Congressional passage and Presidential signature on a Montana Wilderness Bill will free up 233 million board feet of timber for potential harvest in the next decade alone. That translates into 1,500 jobs and significant timber supply for the three dozen Montana mills which cut ninety percent of their volume off of the federal lands in this state. Passage of the bill also would mean the end of hundreds of environmental appeals against timber harvest and mining activity now and in the future.

This identical issue has faced every congressional delegation whose state contains federal timber lands. They have all had to pass a bill in order to get on with their economic futures. Tragically, only Montana and two other states have failed to do so. We are left with no choice. We must put the wilderness question behind us. No less than tomorrow's pay checks and Montana's jobs for our sons and daughters depend upon it.

Now, this issue requires frankness. Let me follow that Montana tradition of showing the truth with the bark on. There are interests in Montana, a powerful and noisy minority, who want the wilderness issue unresolved.

They are determined to hold Montana's economic future hostage, and they do it for selfish economic or political gain. It is a costly game of brinkmanship and Montanans are the losers, particularly Montana's workers — our miners and loggers and mill workers, the retailers who sell sporting equipment, the outfitters and guides, the motel and shop owners, our hunting and fishing and snowmobiling families, all of us — your constituents — held hostage.

Those powerful few who resist completion of this process, frankly, seek to benefit from the chaos they create.

It would not be fair for me to make such a blunt charge without pointing specifically to those interests to whom I refer. So let me do just that.

There are those few environmentalists, a minority within the conservation community, who are using court appeals and injunctive relief as exploitative tools for achieving their wild lands agenda. They prefer that the wilderness legislation go unresolved. Many of those folks are the same people who believe in and practice those dangerous acts of sabotage to prevent timber harvest in our woods. In the past I have branded such tactics as terrorism. I do so again today. These terrorists are not only spiking trees, they are also spiking the orderly process of appeals through monkeywrenching the system with unnecessary appeals.

There are also those few on the environmental side who believe that the resolution of the wilderness question should be taken out of the hands of Montanans and rather should be decided by others in Congress through the introduction of a so called "national wilderness bill". Those folks are wasting their time and energy. Their efforts will not be fruitful in the Congress of the United States.

We remember Lee Metcalf's and other Montanans' proud and effective tradition of conservation activism. Today, some Montanans violate that heritage.

There are also those who are equally polarized, but on the exact opposite end of the issue. They are a narrow but select group of people within the timber industry who believe that resolution of wild land management is not necessary. They, too, are opposed to ending this issue this year.

They continue to believe that layoffs and job cutbacks, mill closures and employee hardship aplenty will soon force political solutions in their benefit. They hope that this confrontational approach will, soon or late, open sensitive areas that Montanans would never otherwise allow to be harvested: our calving and spawning grounds, our watersheds, and scenic vistas.

Their approach is called "selective relief" and is based on the premise that no wilderness bill is necessary if congressional legislation or Forest Service regulation granting specific relief for certain mills with supply problems is used instead. They seek to derail the people's decision about which of these critical lands need to be preserved and, by using timber supply as the rationale, force a particular outcome beneficial and profitable to them alone. These timber owners and managers are pushing their employees out onto a high stakes card table.

Just as I will oppose those few polarized environmentalists, so will I oppose those timber companies who pursue their policy of selective relief to the detriment of the public.

And there are other culprits. From the White House to City Hall we've had a few politicians who believe that our sincere debate about public lands

can be used by them for short-term partisan political ends. We learned long ago that some people, not always Montanans, in either public office or private board rooms figured out that a quick way to force political change is to produce hardship and fear of joblessness among Montana's workers. The vast majority of Montanans reject such selfish politics. For my part, I have, within the past three days, visited with or written to the top state officials of Montana's Democratic and Republican Parties, asking them to resist efforts to use the wilderness issue as a political football.

There are also those private landowners who seek to control access to federal lands in order to profit from the federal resources. Those few folks are served by the current chaos in land management and also by the continued intermingled checkerboard of federal and private lands. We must resist their efforts to deny Montana's hunters and fishermen access to their own public land while they profit on the lockout.

And, finally, I want to expose one more culprit. I was distressed to learn during the past year that there are a few well-placed people within the United States Forest Service who believe the current wilderness tensions and delays can be used to their benefit by forcing a rolling back of current laws protecting the public's land. They believe their agency should be freed to return to the old days of low accountability and lack of Congressional direction, when timber cutting was the only value they needed to manage. That well-placed minority within the Forest Service wants to avoid their obligations to the public and the resource the public owns. The Forest Service is only called upon to manage according to the public's direction. If anyone in a position of land management and planning with our Forest Service does not believe they can meet the obligations of current law, they should step down and allow others to take their place.

Well, what should we do? How can we finally resolve this wilderness question? How can we best get on with our economic future and put an end to the argument and rancor and exploitative manipulation? How can we do it with a Congressional delegation which is both politically, and on this issue, philosophically, divided? As for me, I remain ready to talk, to negotiate. I am prepared to compromise; not on my principles, of course, but we all have learned that on this issue there is plenty of compromise possible before the touchstone of principles is ever breached.

Every member of the Montana Delegation, current and past, has always been willing to and has compromised. Nothing has changed.

And so let's try again. Senators Baucus and Burns have already taken the lead by publicly expressing their willingness to get on with the job. I am confident that my colleague and friend Ron Marlenee and I are ready to join our two Senators in their efforts.

This show of leadership from our Senators is right. The next Montana Wilderness Bill must pass the Senate first and then come over to us in the House. As we learned in the last Congress, a Montana Wilderness Bill will find appropriate support in the House. In that Congress, we passed the Montana Wilderness Bill in 1987. However, the rules of the Senate being what they are, any Senator can put a hold on a bill that has passed the House. And that delaying and killing tactic was used repeatedly by Senators other than those who represent Montana. Let's not unnecessarily run that risk again. Let the Senate go first.

In the meantime, there is plenty of other work to do for Montana. Let me conclude my remarks to you today by mentioning a couple or so of

other pieces of legislation affecting our forests and industry. I will be working on these immediately upon my return to the Capitol next week.

Many Montanans believe, perhaps rightly so, that public lands are not being reforested quickly enough, or in the proper fashion. These folks have the farsighted view of jobs in the woods for their children. It's time for an inventory of precisely what is happening; I will be introducing a bill requiring the Forest Service to, in one year, report to Congress on the status of reforestation efforts. I'll share that report with each of you.

We have not done enough in the past more than quarter of a century to maintain and improve our public trails, National Parks, riverfronts and campgrounds. Those are the places where our families go for fun. Let's put Americans, particularly young Americans, to work on those projects. I'll be introducing Youth Conservation Corps legislation to do just that.

Along with the poor shape of many of our trails and campgrounds, so too are many portions of our forest choked with fallen timber and waste wood. Those materials could be used and we should put folks to work on both removing that waste and finding innovative ways to utilize it. I will introduce legislation that will establish a three-year pilot effort here in the Forest Service Region I, to show America how to do it right.

I will, upon returning to Washington, D.C., introduce legislation which would establish a National Wood Products Research Center. The purpose of this national center would be to consider the various uses of timber and its improved utilization and production. America needs to establish a public/private partnership to continue to move the important wood products industry into the future. The place for that effort is Montana, specifically Missoula, the headquarters for Region I of the Forest Service, the location of the University of Montana's renowned Forestry School, and, of course, the site of major national timber production operations.

There are few issues more important to the true survival of Montana's wood products industry and the full employment of its workers than this matter of continuing the export ban of whole logs to other nations, particularly Japan. Now, the White House wants to end the twenty year federal export ban. The Administration is wrong and they know it. I will introduce, on a bipartisan basis with Republican Congressman Bob Smith of Oregon, legislation to reinstate the export log ban and make it permanent law.

Many Montanans are understandably angry about the inappropriate use of frivolous appeals against Forest Service decisions concerning timber sales and mining activity. I will be introducing legislation that will grant the Forest Service adjudicators the right to reject appeals filed in a frivolous fashion and also to deny repetitive violators the future right to appeal. The appeals process provides legitimate opportunity for all citizens to contest decisions of their government. It is an important process and needs to be preserved, but the process must not be trivialized.

Federal compensation of damages due to the tragic forest fires of this past summer indicate that the Forest Service process for compensating land owners may be too slow and cumbersome. I'll be introducing legislation to enact changes which will accelerate and streamline the Forest Service response time to aggrieved and injured citizens.

Finally, it is clear that the federal tax code greatly affects the profitability margin of timber companies. I'll be introducing legislation to re-establish the capital gains tax rates to pre-tax reform levels. The timber companies' reinvestment of those monies is good for the forest, the companies' profits, and it's good for Montana.

Well, there is a lot to be done to assist Montana's natural resource industries and to protect our land. I will be trying to do my part, just as I know that each of you will too. I say again, though, that the single most important act that can be taken by the Montana congressional delegation to assist those industries, protect Montana and enhance our economy is the passage of a Montana Wild Lands Bill. So, let's get on with it!

Let's celebrate our centennial birthday as good neighbors, avoiding rancorous quarrels, as partners intent not on self interest, but on Montana's interests and Montana's future.

Representatives Bradley and Good escorted Congressman Williams from the chamber.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/13/89

Correctly printed: HB 66, HB 173, HB 190, HB 232, HB 253, HB 313, HB 332, HB 336, HB 381, HB 449, HB 450, HB 458, HB 491, HB 512, HB 519, HB 527, HB 584, HJR 12, HJR 22.

Correctly engrossed: HB 295, HB 304, HB 344, HB 345, HB 349, HB 350, HB 351, HB 378, HB 388, HB 394, HB 401, HB 407, HB 419, HB 421, HB 429, HB 430, HB 431, HB 432, HB 439, HB 443, HB 455, HB 459, HB 463, HB 467, HB 470, HB 471, HB 481, HB 484, HB 487, HB 488, HB 531, HB 533, HB 570, HJR 6, HJR 15, HJR 16, HJR 17.

Delivered to the Governor for his approval at 9:35 a.m., 2/13/89: HB 14, HB 22, HB 36.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/13/89

HB 355, do pass. Report adopted.

HB 559, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

2/12/89

HB 200, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Following: "FOR"

Strike: remainder of line 7 through "TRANSITIONAL" on line 8

Following: "CHILD-CARE" on line 8

Strike: "PROGRAMS"

Insert: "ASSISTANCE"

2. Title, lines 11 and 12.

Strike: "REPEALING" on line 11 through "MCA;" on line 12

3. Page 1.

Following: line 13

Insert:

"STATEMENT OF INTENT"

A statement of intent is required for this bill because [section 6] authorizes the department of social and rehabilitation services to adopt rules to administer a low-income day-care support program and a transitional child-care program.

It is the intent of the legislature that the department provide for day-care costs on a sliding-scale formula for low-income families in need of day-care for purposes of employment or employment-related training and provide a transitional child-care program for day-care

for families who have ceased to receive aid to families with dependent children because of employment."

4. Page 1, line 17.

Page 4, line 11.

Page 5, line 25.

Following: "through"

Strike: "13"

Insert: "12"

5. Page 2, line 22 through page 3, line 9.

Strike: section 3 in its entirety

Renumber: subsequent sections

6. Page 3, line 20.

Following: "section"

Strike: "5"

Insert: "4"

7. Page 5, line 22.

Strike: "list"

Insert: "number"

8. Page 6, line 1 through page 7, line 2.

Strike: section 7 in its entirety

Insert: "NEW SECTION. Section 6. Child-care assistance. The department of social and rehabilitation services shall provide necessary child-care assistance, as provided for in sections 301 and 302 of the federal Family Support Act of 1988 [42 U.S.C. 602 (g)], for each individual participating in the program established under section 201 of the federal Family Support Act of 1988."

9. Page 10, lines 13 and 14.

Page 12, lines 5, 6, 10, and 13.

Strike: "supplemental parental"

Insert: "day"

10. Page 11, line 2.

Strike: "(a)"

Insert: "(i)"

11. Page 11, line 5.

Strike: "(b)"

Insert: "(ii)"

12. Page 11, line 12.

Following: " "Day care" "

Insert: "or "child care" "

13. Page 17, line 11.

Strike: section 14 in its entirety

Renumber: subsequent sections

14. Page 17, line 16.

Following: "[section]"

Strike: "6"

Insert: "5"

Following: "."

Strike: remainder of line 16 through line 19 in its entirety

15. Page 17, line 25.

Page 18, line 3.

Strike: "7"

Insert: "6"

16. Page 18.

Following: line 3

Insert: "NEW SECTION. Section 16. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

17. Page 18, line 4.

Strike: "dates"

Insert: "date"

Strike: "(1)"

18. Page 18, line 5.

Strike: "6"

Insert: "5"

19. Page 18, line 7.

Strike: line 7 in its entirety

And, as amended, do pass. Report adopted.

Representatives Compton and Swysgood excused at this time.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/11/89

HB 21, introduced by Marks**HJR 4**, introduced by Grinde

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

2/11/89

HB 58, introduced by Driscoll**HB 63**, introduced by Eudaily**HB 99**, introduced by Driscoll

Senate bills passed and transmitted to the House for concurrence: 2/11/89

SB 101, introduced by Aklestad**SB 129**, introduced by Manning**SB 207**, introduced by Brown**SB 215**, introduced by Halligan**SB 233**, introduced by Manning**SB 276**, introduced by Blaylock**SB 282**, introduced by Halligan**SB 297**, introduced by Hammond**SB 302**, introduced by Mazurek**SB 305**, introduced by Jergeson**SB 322**, introduced by Van Valkenburg**SB 324**, introduced by Beck**MESSAGES FROM THE GOVERNOR**

John Vincent

Speaker of the House

Montana House of Representatives

State Capitol

February 13, 1989

Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bill 34 on February 13, 1989.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

- HB 649**, introduced by Koehnke, referred to Committee on Local Government
- HB 650**, introduced by Swysgood, referred to Committee on Agriculture, Livestock, and Irrigation
- HB 651**, introduced by Spaeth, Gage, Van Valkenburg, referred to Committee on Business and Economic Development
- HB 652**, introduced by Brooke, Halligan, Cocchiarella, Cohen, Strizich, D. Brown, Wyatt, O'Connell, J. Brown, McCormick, Ream, Connelly, McDonough, Driscoll, Whalen, Kimberley, Johnson, Bradley, Grady, referred to Committee on Business and Economic Development
- HB 653**, introduced by Harper, McDonough, Hansen, Darko, Raney, Nisbet, Cody, Schye, Steppler, Strizich, Daily, Kilpatrick, Stickney, Russell, Hannah, Cohen, Addy, Whalen, Blaylock, Regan, referred to Committee on Human Services and Aging
- HB 654**, introduced by Russell, Hansen, Brooke, Moore, Harper, Vincent, Spaeth, Darko, Stickney, Regan, Lee, Cohen, Hannah, Blaylock, Cocchiarella, Wyatt, Gage, referred to Committee on Human Services and Aging
- HB 655**, introduced by Harper, Mazurek, O'Keefe, Grady, Simon, Ellison, Raney, referred to Committee on Fish and Game
- HB 656**, introduced by Wallin, Vincent, Hofman, referred to Committee on Local Government
- HB 657**, introduced by Owens, Smith, Peterson, Aafedt, Whalen, referred to Committee on Natural Resources
- HB 658**, introduced by Swysgood, referred to Committee on Agriculture, Livestock, and Irrigation
- HB 659**, introduced by Whalen, T. Nelson, Bradley, Bardanouve, Harrington, McDonough, Squires, Cocchiarella, Ream, Brooke, Hansen, Russell, Daily, Pavlovich, Moore, Strizich, Gervais, Cohen, Kimberley, Addy, Yellowtail, Regan, Halligan, Weeding, Blaylock, Walker, Manning, Harper, Johnson, Bachini, Driscoll, Quilici, Vincent, Menahan, O'Keefe, Schye, Nisbet, Raney, Darko, L. Nelson, Elliott, O'Connell, referred to Committee on Judiciary
- HB 660**, introduced by Moore, Elliott, Strizich, Brooke, Cocchiarella, Squires, Cohen, Spaeth, Russell, referred to Committee on State Administration
- HB 661**, introduced by Rice (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging
- HB 662**, introduced by Rice, Grady, O'Keefe, referred to Committee on Fish and Game

HB 663, introduced by J. Brown, Bradley, Gould, Keating, Regan, Grady, referred to Committee on Human Services and Aging

HJR 24, introduced by Pavlovich, Daily, Spaeth, Moore, Lynch, Ellison, Connelly, Patterson, D. Brown, Menahan, Blotkamp, Stickney, Gervais, Koehnke, Davis, Strizich, J. Brown, Hansen, O'Connell, Harrington, Squires, Ream, Bachini, Wyatt, Cocchiarella, Phillips, Swysgood, Gilbert, Johnson, Whalen, Stimatz, Harper, Vincent (by request of the House Committee on Business and Economic Development), referred to Committee on Human Services and Aging

MOTIONS

Representative D. Brown moved the House reconsider its action on HB 20 taken on second reading the previous legislative day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 26 - Representative Peck moved HB 26 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Daily, Pavlovich.

Total 2

Excused: Compton, Spring, Swysgood.

Total 3

Absent or not voting: None.

Total 0

Representative Compton present at this time.

HB 186 - Representative Ream moved HB 186 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman,

Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Campbell, Hanson, Keller, Phillips.
Total 4

Excused: Spring, Swysgood.
Total 2

Absent or not voting: Grinde, Wallin.
Total 2

HB 205 - Representative Stang moved HB 205 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 83

Noes: Campbell, Cobb, DeBruycker, Ellison, Grinde, Kasten, Phillips, Ramirez, Simpkins, Stepler, Zook.
Total 11

Excused: Spring, Swysgood.
Total 2

Absent or not voting: D. Brown, Marks, Pavlovich, Wallin.
Total 4

Representative Swysgood present at this time.

Representative McCormick excused at this time.

HB 238 - Representative Whalen moved HB 238 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 54

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde,

Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Knapp, Lee, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 45

Paired: McCormick, Aye; Ramirez, No.

Excused: Spring.

Total 1

Absent or not voting: None.

Total 0

Representative Westlake excused at this time.

Representative McCormick present at this time.

HB 289 - Representative Johnson moved HB 289 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bardanouve, Cobb, Cocchiarella, Elliott, Gervais, Grinde, McDonough, Menahan, O'Keefe, Raney, Ream.

Total 11

Excused: Spring, Westlake.

Total 2

Absent or not voting: Connelly.

Total 1

Representative Swysgood excused at this time.

HB 325 - Representative Marks moved HB 325 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.
Total 0

Excused: Spring, Swysgood, Westlake.
Total 3

Absent or not voting: Grady, Menahan.
Total 2

HB 335 - Representative Hayne moved HB 335 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bardanouve, Bradley, Gilbert, Kasten, Ream.
Total 5

Excused: Spring, Swysgood, Westlake.
Total 3

Absent or not voting: Grady, Menahan.
Total 2

Representative Swysgood present at this time.

HB 342 - Representative Darko moved HB 342 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Guthrie, Hansen, Harrington, Hayne, Iverson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Steppler, Stickney, Strizich, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Boharski, Clark, Cobb, Cohen, DeMars, Giacometto, Glaser, Grady, Grinde, Hannah, Hanson, Harper, Hoffman, Johnson, Keller, Marks, Ramirez, Rehberg, Simpkins, Stang, Swift, Swysgood, Thoft.
Total 23

Excused: Spring, Westlake.
Total 2

Absent or not voting: D. Brown, Menahan, Patterson.
Total 3

HB 390 - Representative Spaeth moved HB 390 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Driscoll.
Total 1

Excused: Spring, Westlake.
Total 2

Absent or not voting: Ellison.
Total 1

HB 403 - Representative Ellison moved HB 403 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Brooke, Davis.
Total 2

Excused: Spring, Westlake.
Total 2

Absent or not voting: Marks.
Total 1

HB 426 - Representative Wallin moved HB 426 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick,

Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Spring, Westlake.

Total 2

Absent or not voting: Clark, Marks.

Total 2

HB 440 - Representative D. Brown moved HB 440 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Aafedt, Bardanouve, Boharski, Cohen, DeBruycker, Ellison, Gilbert, Hannah, Keller, Lee, T. Nelson, Owens, Ramirez, Rice, Simon, Squires, Stepler, Swysgood, Thoft.

Total 19

Excused: Spring, Westlake.

Total 2

Absent or not voting: None.

Total 0

HB 464 - Representative Bradley moved consideration of HB 464 be passed until the 39th legislative day. Motion carried.

HB 478 - Representative Roth moved HB 478 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Good, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Boharski, Campbell, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Guthrie, Hoffman, Phillips, Smith, Stepler, Swysgood, Thoft.

Total 15

Excused: Spring, Westlake.

Total 2

Absent or not voting: Cobb, Grady, Kadas, Simpkins.

Total 4

HB 480 - Representative Knapp moved HB 480 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Spring, Westlake.

Total 2

Absent or not voting: Bardanouve, Ellison, Kadas, O'Connell.

Total 4

Representative Westlake present at this time.

HB 489 - Representative Rice moved HB 489 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Spring.

Total 1

Absent or not voting: Connelly, Kadas, Keller, Koehnke.

Total 4

HB 492 - Representative Spaeth moved HB 492 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 92

Noes: Driscoll, Good, Stang, Steppler, Wyatt.

Total 5

Excused: Spring.

Total 1

Absent or not voting: Kasten, Keller.

Total 2

HB 505 - Representative Schye moved HB 505 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: DeBruycker, Grinde, Hannah, Lee.

Total 4

Excused: Spring.

Total 1

Absent or not voting: Eudaily.

Total 1

HB 549 - Representative J. Brown moved HB 549 do pass.

Representative J. Brown made a substitute motion that consideration of HB 549 be passed for the day. Motion carried.

Representative Ramirez excused at this time.

HB 557 - Representative Bachini moved HB 557 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ramirez, Spring.

Total 2

Absent or not voting: Bradley, D. Brown, Spaeth.

Total 3

Representative Bradley excused at this time.

HB 573 - Representative McCormick moved HB 573 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Addy, Bardanouve, Boharski, Cohen, Elliott, Ellison, Eudaily, Good, Hannah, Harper, Hayne, Kasten, Lee, O'Keefe, Ream, Rice, Simpkins.

Total 17

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (94-2)

MOTIONS

Representative Glaser moved HB 151 be taken from the third reading board this legislative day and rereferred to the Committee on Taxation for the purpose of amendment.

Representative Addy made a substitute motion that the motion of Representative Glaser be laid on the table. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 151 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Good, Gould, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Schye, Simon, Simpkins, Spaeth, Stickney, Strizich, Swift, Swysgood, Thomas, Westlake, Wyatt.

Total 60

Noes: Bardanouve, Boharski, Campbell, Clark, Cobb, Cody, Cohen, Davis, Gervais, Gilbert, Glaser, Grady, Hansen, Iverson, Kadas, Keller, Kilpatrick, Lee, Marks, Mercer, R. Nelson, Nisbet, Patterson, Pavlovich, Rehberg, Roth, Russell, Smith, Squires, Stang, Stepler, Thoft, Wallin, Whalen, Zook, Mr. Speaker.

Total 36

Paired: Bradley, Aye; Smith, No.

Excused: Ramirez, Spring.

Total 2

Absent or not voting: Connelly, Hannah.

Total 2

HB 165 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Raney, Ream, Roth, Russell, Schye, Smith, Spaeth, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 70

Noes: Bachini, D. Brown, Campbell, Cobb, Cohen, Giacometto, Gilbert, Good, Guthrie, Hannah, Koehnke, Lee, L. Nelson, Peck, Phillips, Rehberg, Rice, Simon, Simpkins, Squires, Stang, Stepler, Swysgood, Thoft, Thomas.

Total 25

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: Gervais, Marks.

Total 2

HB 171 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily,

Gervais, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Cohen, Elliott, Ellison, Giacometto, Glaser, Hannah, Hansen, Kadas, L. Nelson, Nisbet, Raney, Rehberg, Strizich.

Total 13

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: Kasten, Owens.

Total 2

HB 191 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Brooke, D. Brown, Campbell, Clark, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harrington, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, Menahan, Mercer, L. Nelson, R. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Ream, Rehberg, Roth, Russell, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Bachini, Blotkamp, J. Brown, Cocchiarella, DeBruycker, DeMars, Gilbert, Guthrie, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Knapp, McCormick, McDonough, Moore, T. Nelson, O'Connell, Quilici, Raney, Rice, Schye, Simon, Simpkins, Swift, Swysgood, Thomas, Westlake.

Total 30

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: Peck.

Total 1

HB 244 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Blotkamp, Brooke, Cohen, Connelly, Davis, Hansen, Kadas, Koehnke, Moore, O'Keefe, Peck, Ream, Whalen.

Total 13

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: R. Nelson, Russell.

Total 2

HB 327 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cohen, Connelly.

Total 2

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: None.

Total 0

HB 339 passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Addy, McCormick, Whalen.

Total 3

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: Hansen.

Total 1

HB 340 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko,

Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stepler, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: D. Brown, Campbell, Cobb, Driscoll, Gould, Grinde, Hansen, Harrington, Kadas, Pavlovich, Quilici, Stang, Swysgood, Thoft, Wallin.

Total 15

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: None.

Total 0

HB 346 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Grady, Guthrie, Hannah, Hansen, Harper, Hayne, Hoffman, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, O'Connell, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Stepler, Stickney, Strizich, Thomas, Wallin, Whalen, Mr. Speaker.

Total 65

Noes: Aafedt, D. Brown, Campbell, Clark, Cobb, Cody, Daily, DeBruycker, DeMars, Gould, Grinde, Hanson, Harrington, Iverson, Kadas, Kasten, R. Nelson, Nisbet, Owens, Patterson, Pavlovich, Phillips, Simpkins, Smith, Squires, Stang, Swift, Swysgood, Thoft, Westlake, Wyatt, Zook.

Total 32

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: None.

Total 0

HB 354 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Daily, Giacometto, Good, Grinde, Hannah.

Total 6

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: Aafedt.

Total 1

HB 367 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Hannah.

Total 2

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: Bardanouve, Grady, Harrington.

Total 3

HB 372 passed as follows:

Ayes: Addy, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Davis, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 68

Noes: Aafedt, Bachini, Bardanouve, Campbell, Cobb, Connelly, Darko, DeBruycker, DeMars, Giacometto, Grinde, Hannah, Hayne, Iverson, Keller, Knapp, Lee, Owens, Patterson, Peck, Peterson, Phillips, Simon, Smith, Swift, Swysgood, Thoft, Thomas, Zook.

Total 29

Excused: Bradley, Ramirez, Spring.

Total 3

Absent or not voting: None.

Total 0

MOTIONS

Representative Spaeth moved HB 238, HB 325, HB 335, HB 390, and HB 403 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Marks moved his vote on HB 151, third reading, be recorded as no. Motion carried.

Representative Stang moved he be allowed to change his vote on HB 165, third reading, from yes to no. Motion carried.

Representative J. Brown moved HB 549 be taken from second reading and rereferred to the Committee on Local Government. Motion carried.

Representative Gervais moved he be allowed to change his vote on HB 244, third reading, from no to yes. Motion carried.

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/13/89

Adverse Committee Report

HB 287, introduced bill, be amended as follows:

1. Page 1, line 11.

Following: line 10

Insert:

"STATEMENT OF INTENT

A statement of intent is required for this bill because [section 5] grants rulemaking authority to the department of commerce to adopt rules governing the administration of the Massage Therapy Licensing Act. It is intended that the rules address at least the following:

(1) requirements of any contract entered with a licensed massage therapist or professional massage therapy association for the purposes contemplated in [section 5 (2)(a)];

(2) approval of programs of continuing education required under [section 5 (2)(b)]. It is intended that such programs require, at a minimum, attendance at two seminars or workshops within a 3-year period. The rules may also address the possibility of requiring reexamination of licensees after a 5-year period of licensure, in the interests of continuing education.

(3) the form and manner of application required for licensure of massage therapists;

(4) establishment of an annual expiration date of licenses as contemplated in [section 10]; and

(5) establishment of appropriate fees for application, examination, reexamination, license issuance, and license renewal, as outlined in [section 11]."

And, as amended, do not pass.

JUDICIARY (D. Brown, Chairman):

2/13/89

HB 310, introduced bill, be amended as follows:

1. Title, line 12.

Following: "RECORDING;"

Strike: "AND"

2. Title, line 13.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 9.

Following: line 3

Insert: "NEW SECTION. Section 3. Effective date. This section is effective July 1, 1989."

And, as amended, do pass. Report adopted.

HB 425, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND PER SE PENALTY"

Strike: "RELATING TO"

2. Title, line 6.

Strike: "ALCOHOL- OR DRUG-RELATED DRIVING OFFENSES"

3. Title, line 7.

Following: line 6

Insert: "DRIVER'S LICENSE"

Following: "SUSPENSION"

Insert: "FOR A SECOND OR SUBSEQUENT OFFENSE"

Following: "UNTIL"

Strike: "TREATMENT"

Insert: "AN ALCOHOL INFORMATION COURSE AND TREATMENT, IF TREATMENT IS ALSO ORDERED,"

4. Title, line 9.

Following: "CONVICTIONS"

Insert: "FOR PURPOSES OF THE DUI PENALTY SECTION"

Strike: "UNDER ONE"

Insert: "OF A PER SE"

5. Title, lines 10 through 12.

Strike: "OTHER" on line 10 through "SAME" on line 12

Insert: "DUI OFFENSE SECTION"

6. Title, line 12.

Strike: "AN"

Insert: "A DUI"

7. Title, line 13.

Following: "THAT"

Insert: "DUI"

8. Title, line 14.

Following: "61-5-208"

Strike: ", "

Insert: "AND"

Following: "61-8-714,"

Strike: "AND"

9. Title, line 15.

Strike: "61-8-722,"

10. Page 2, line 24 through page 3, line 2.

Strike: "except" on page 2, line 24 through "completed" on page 3, line 2

11. Page 3, lines 8 through 10.

Strike: "person" on line 8 through the end of line 10

Insert: "1-year period passes and the person has not completed an alcohol information course, treatment, or both, as ordered by the

sentencing court, the license revocation remains in effect until the course, treatment, or both are completed."

12. Page 5, line 1.

Following: "may"

Insert: ", in the sentencing court's discretion and upon recommendation of a program counselor,"

13. Page 5, lines 2 and 3.

Strike: ", if" on line 2 through "the program" on line 3

14. Page 5, line 3.

Following: "."

Insert: "On conviction of a second or subsequent offense under this section, in addition to the punishment provided in this section, regardless of disposition, the defendant shall complete an alcohol information course at an alcohol treatment program approved by the department of institutions, which must include alcohol or drug treatment or both."

15. Pages 6 through 8.

Strike: section 3 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 623, introduced by Thomas, Nathe, referred to Select Committee on Education

HB 637, introduced by Phillips, referred to Select Committee on Education

HB 664, introduced by Schye, Harper, Van Valkenburg, referred to Committee on Taxation

HB 665, introduced by Darko, referred to Committee on Education and Cultural Resources

HB 666, introduced by Ramirez, Quilici, Marks, Vincent, Pavlovich, Halligan, Bradley, Rehberg, Eudaily, Lynch, Hofman, Boylan, Cobb, Hayne, B. Brown, Hager, McLane, Harper, Tveit, Devlin, Swift, Hoffman, Jacobson, Driscoll, Rapp-Svrcek, Abrams, Rasmussen, Hannah, Blaylock, Peterson, Giacometto, Spaeth, Schye, Williams, Nathe, Manning, Addy, Weeding, Campbell, J. Brown, Harp, Ream, Connelly, Guthrie, Daily, Knapp, Kimberley, Anderson, Jenkins, Yellowtail, Thomas, Patterson, Menahan, O'Connell, referred to Committee on Appropriations

HB 667, introduced by Good (by request of the House Local Government Committee), referred to Committee on Local Government

HB 668, introduced by McDonough, Harper, Wyatt, Whalen, Halligan (by request of the Department of Health and Environmental Sciences), referred to Committee on Judiciary

HB 669, introduced by Hanson, Weeding, referred to Committee on Business and Economic Development

HB 670, introduced by Cody, Williams, Jergeson, Hammond, Glaser, Addy, Gould, referred to Committee on Business and Economic Development

HB 671, introduced by Patterson, D. Brown, Squires, Gould, Cocchiarella, McDonough, Simon, Phillips, Roth, Rehberg, Hannah,

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Quilici, Driscoll, Addy, Kimberley, Whalen, Daily, Clark, Kilpatrick, Pavlovich, Ream, Harrington, Wyatt, O'Connell, Good, Brooke, Moore, Kadas, McLane, Ramirez, T. Nelson, Hansen, Eudaily, Glaser, referred to Committee on Highways and Transportation

HB 672, introduced by Cohen, Weeding, McDonough, Brooke, Addy, Kadas, Grady, Raney, O'Keefe, referred to Committee on Natural Resources

HB 673, introduced by Whalen, referred to Committee on Judiciary

HB 674, introduced by Kadas, Peck, referred to Committee on Education and Cultural Resources

HB 675, introduced by Spaeth, Hanson, referred to Committee on Agriculture, Livestock, and Irrigation

HB 676, introduced by Raney, Darko, Stang, Elliott, Wyatt, Ellison, Campbell, L. Nelson, O'Keefe, Schye, Nisbet, Bradley, Cohen, Iverson, Gilbert, Ream, Harper, Bardanouve, Driscoll, Vincent, Kadas, Addy, Kimberley, Hansen, Squires, McDonough, Cocchiarella, referred to Committee on Natural Resources

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 631: Whalen, DeMars, and Strizich.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 11:15 a.m., Tuesday, February 14, 1989.

Motion carried.

House adjourned at 2:42 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 14, 1989

House Chambers
State Capitol

House convened at 11:25 a.m., Mr. Speaker in the Chair.

Roll call. All members present except Marks, Peck, and Ream, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

A committee from the Senate composed of Senators Regan, Nathe, and Tveit was admitted and reported to the House the Senate was ready to meet in joint session and hear the Governor's Address on Education.

Sergeant-at-Arms Carlson escorted members of the Senate into the House chamber.

Speaker Vincent introduced President Galt and yielded the Chair to him.

Senator Gage moved the body resolve itself into a joint session for the purpose of receiving the Governor's Address on Education. Motion carried.

Senator Gage moved the calling of roll be dispensed with. Motion carried.

Senator Gage moved President Galt be authorized to appoint a committee of two to notify His Excellency, the Honorable Stan Stephens, Governor of the State of Montana, that the House and Senate are now in joint session and ready to receive him. Motion carried.

President Galt appointed Senator Hammond and Representative Schye and discharged them to escort the Governor to the House chamber.

Reverend Tom Banks gave the Invocation. The Pledge of Allegiance followed.

Governor Stephens was escorted to the rostrum by the escort committee.

After being presented to the members of both houses by President Galt, Governor Stephens delivered the following address:

SCHOOL FUNDING EQUALIZATION BY GOVERNOR STAN STEPHENS

One month and one day ago I stood before you and delivered my State of the State Address.

Much of what I advocated in that address remains intact today. What none of us knew at that time was that less than three weeks later, a ruling by the Montana Supreme Court would impact this Legislative Assembly, the school children and the taxpayers of Montana to an extent unmatched in recent times.

The unanimous decree by the Supreme Court that we must eliminate spending discrepancies in elementary and secondary education is a mandate we are compelled to obey. That decree is not a proposal; it offers no alternatives; it is the united voice of the judicial branch reinforced by the weight of the Constitution speaking with finality from which there is no appeal.

Let no one mistake the binding obligation of that February 1st mandate of the Court and the obligation it holds for the Governor, the citizens of Montana and the members of this Legislature. We are bound by our oath of office to obey the Court's ruling.

It matters not how difficult, how frustrating, how apparently unjust, how seemingly impossible the task . . . there is no recourse. WE ARE COMPELLED TO CARRY OUT THE COURT'S WILL.

In the unlikely event the Legislature should ignore the order of the Court, what would be the consequences? The Court has retained jurisdiction and could be forced to act unilaterally without involvement of all parties. They could, for example, order all schools in Montana to be closed effective July 1, 1989, and subsequently force a special session of the legislature.

This happened in New Jersey when the school funding system was challenged. That legislature rejected a court decree by failing to revise the school funding system. A constitutional crisis ensued and the New Jersey legislature was forced into special session. The impasse spawned secret meetings among the legislative leadership, the governor's office, and the supreme court before it was broken and the order closing the schools was lifted.

What transpired in New Jersey can never be permitted to happen in Montana.

Following the ruling of the Montana Supreme Court, I scheduled a series of meetings between myself and the legislative leadership, the Office of Public Instruction, the Joint Select Committee on Education and school superintendents and trustees from throughout the state. I also solicited and received written comments and opinions from the educational community and reviewed the results of U.S. West's Options for Equity Forum.

In my more than 16 years of service in state government I cannot recall a decision of the Court or of any governmental body in this state which will have such far reaching consequences.

Every taxpayer in this state will be affected. Every school district in the state will be affected. Nearly every parent and child will be affected.

The decision requires us to determine how much school districts may spend for education. The decision also requires us to determine how much funding school districts will receive from the State, how much local trustees may budget to operate their schools and, most importantly, . . . how much different taxpayers in individual districts and counties will pay to support education.

The Court concluded that the current system of funding education violates Article X of the Constitution. Article X states, "It is the goal of the people to establish a system of education which will develop the full educational potential for each person. Equality of educational opportunity is guaranteed to each person of the state."

As an example of disparity in funding, the Court singled out the comparable school districts of Geraldine and Drummond. An even more dramatic example exists between Hamilton, where each student is supported by \$345 in local tax revenue, and Colstrip where each student is supported by \$2,600 in local tax revenue. In the District Court decision, numerous additional examples were cited of significant spending discrepancies which violate our Constitution.

In reciting Article X of our Constitution the Court affirmed that each person is guaranteed equality of educational opportunity and further stated, "The plain meaning of that sentence is clear and unambiguous." Specifically, the courts have ruled that equality of education shall be measured

primarily by dollars. While many of us may disagree with that interpretation we are all duty bound to enforce it.

What does the decision mean? It means that our current school funding system has been declared to be unconstitutional. We can no longer permit such disparities as exist between Geraldine and Drummond and Hamilton and Colstrip and countless other districts.

Henceforth, we must provide a system of quality public education that grants to each student the quality of educational opportunity guaranteed in the Constitution by reducing spending disparities among the state school districts. Failure to eliminate these wide discrepancies means a denial of equality of educational opportunity. IT MEANS WE MUST EQUALIZE STATE SPENDING FOR EDUCATION.

Equalize . . . It is a word we will come to know well. By its very definition equalize indicates positive and negative adjustments in spending.

No one can dispute what we have been ordered to do. We must IMPLEMENT A MAJOR REDISTRIBUTION OF THE TAX BURDEN WITHIN THE STATE of Montana to fund education equally. And as school spending is equalized, some taxpayers and students will benefit . . . others will not. The process will prove to be painful and unpopular BUT THE COURT DECISION REQUIRES THAT IT BE DONE.

Let me digress a moment and review the plan that has been ruled unconstitutional. The current spending for education in Montana per biennium amounts to \$1.3 billion. \$622 million is provided from the State level and \$700 million is derived from local sources.

Because Montana has lost population and property tax values have declined it will take \$45 MILLION in new revenue just to match the level of spending for the current budget. In other words, funding education at the current level of spending WITH NOT ONE DOLLAR OF INCREASE, means we must raise \$45 million additional dollars.

Forty-five million additional dollars means \$45 million in additional taxes JUST TO STAY EVEN.

Looking to the Court decree and the solution it demands, there are two major elements to be resolved.

1. EQUALIZATION AND 2. TAXATION.

Equalization is a difficult and emotional issue. It is my firm belief that the Supreme Court's mandate cannot be accomplished unless we separate the two sides of the question and consider each alone . . . starting first and solely with equalization.

When the equalization question has been resolved, we will then turn to the issue of revenue knowing exactly how much replacement revenue will be required. An equalization plan will tell us the cost we face. We must know that cost before we determine how to pay for it.

Dating back to the Loble decision of January 21, 1988, subcommittees of the legislature, organizations and individuals from all parts of this state have spent countless days studying and consulting in an effort to find a solution . . . preparing themselves for the day that has now arrived when the Supreme Court would tell us what our Constitution requires.

Much of their fine effort has been incorporated into the plan I present you for eliminating the funding and spending discrepancies the Court found

so onerous. I set forth this plan so that you will know as you work on legislation what it is that will be acceptable to the Governor's office and where you can expect help and direction from me.

I offer a plan that we believe meets the constitutional requirement and which is built on the consensus and support of those who have worked on this issue for many months.

My school finance system recognizes the immediacy of needs of local school boards of trustees, who are, as I speak today, planning and formulating their school budget for the 1989-1990 school year. A well-reasoned, phased-in program meets the obligations of the Court order and does not create unnecessary havoc in school budget preparation.

For the first year of the coming biennium we recommend the following:

1. The Foundation Program amount supported by the State will meet current funding levels by infusing an additional \$45 million in the foundation program.
2. The teacher's retirement cost will be equalized as announced in my State of the State message. The teacher's retirement fund will be eliminated and become a part of the general fund of the school district. The foundation program payments will be increased to cover this conversion. This will eliminate current tax disparities in counties now levying anywhere between 4 and 54 mills.
3. Special education costs will be equalized. These funds will be distributed on the basis of the average special education teacher salary. This equalization will be accomplished by an increased state revenue commitment to special education in the amount of \$6 million per year and thus reduce the reliance on local voted levies.
4. In order to abide by the equalization directives of the Court, the funding plan proposes to introduce gradual spending caps on school district expenditures. This phase-in process will begin to decrease the range of spending differences.
5. We propose to reinstate our financial commitment to Vocational Education.
6. Finally, we will equalize personal property tax replacement revenue.

This reflects in large measure the plan I originally proposed in my State of the State message as a first step toward equalization. With the Court decision and the time line imposed upon us, that first step must now represent the first year of a phased-in equalization plan.

For the second year of the biennium, I propose implementing a second stage in the equalization process by:

1. Expanding the equalization process by increasing the State's share of the entire cost of public elementary and secondary education to an 80% level and recognizing a local revenue component of 20%.
2. We propose that the State begin participating in capital outlay expenses for school buildings and facilities.
3. We propose to further equalize expenses covering transportation and comprehensive insurance by increasing the State support for those funds.
4. We propose to limit cash reserves and increase the number of state equalization payments so that schools have an adequate cash flow. We

further propose to reform the State's archaic tuition agreement system for regular students.

Simultaneously to that, we propose initiating study projects on these three funds with the target of fully integrating these funds into the Foundation Program by 1991.

As a major component of this school reform proposal, my office will be seeking and advancing accountability and incentive programs that will further increase the quality of education for Montana students. Such programs may include: recognizing hard-working-professional teachers by proper compensation, new technological advances in delivery of education to our rural population and other programs designed to advance quality of education and assure public accountability.

There is not the time here to set forth the specific details of each of our proposals. However, because those specifics are essential for your deliberations and the public's understanding, this afternoon at 1:30 p.m. there will be a special news conference in the Governor's Reception Room to address the specifics. Mr. Ken Nordtvedt (Director of Department of Revenue), Mr. Ray Shackleford (Director of Office of Budget & Program Planning), Mr. Rick Bartos (Legal Counsel to the Governor's Office), and Mr. Wayne Phillips (The Governor's Office Senior Policy Advisor on Education) will be available to respond to questions and concerns.

The plan I present to you today will meet the equalization requirements of the Court decision. As legislators pressed with deadlines, you know time is of the essence, therefore, I request that a bill encompassing the elements of the plan be passed by the House and Senate and be placed on my desk by the 55th legislative day, March 9, 1989.

The revenue side of the equation should not be addressed in that bill. Let no one accuse us of making haste in boots of lead. We must first resolve equalization and then address revenue separately. The overall issue is so complex that if we do not handle equalization and revenue in two separate stages, progress will be stalled and deliberations will reach an impasse. When the equalization issue is determined, on March 10th I will begin anew the process of reaching a consensus on revenue that will be decided before this legislature adjourns.

I will again meet with the legislative leadership, members of the appropriate committees of the House and Senate and other interested parties in pursuit of the solution to the most difficult part of the issue, that of matching revenue with the requirements of the equalization you present to me on the 55th day.

When that phase is completed, I will not hesitate to let you know of my conclusions. Let us however remember that only the legislature can appropriate. It is the sole domain of the legislature and not the responsibility of either the Governor or the Court.

This two-step approach I am recommending to you is, in my judgment, the necessary course to follow in meeting our responsibilities.

This is not a partisan issue. This is not a regional issue. Each of your districts will be affected differently within its own boundaries. You must represent your District, but you and I must fulfill our constitutional obligations to the State as well. I said in my State of the State address that, "We are about to be tested." Indeed, that testing has begun.

When asked to define the purpose of education Socrates replied, "The purpose of education is to dispel error and to discover truth."

Let me close with truths inherent in resolving this issue. The truth is - I know of no legislator who does not place the needs of children FIRST in addressing educational issues. In the past, legislators who might question policies of funding education have been criticized as being against children and their educational needs. Let the demagogues who utter these false statements be silent.

The truth is - Montanans have a record of heavy financial support for the public schools and are #4 in the nation in per student spending for elementary and secondary schools. Nevertheless, in every session of the legislature for the past 20 years the demand has been for more and more State money. Per capita spending for schools is up 54% after inflation over those 20 years despite declining enrollments.

The truth is - More money is not the sole element for providing quality education. As the Court stated, there are other factors to be considered including individual teachers, classroom size, support of parents and students and the desire and motivation on the part of the student which moves him or her to seek earnestly after an education.

The truth is - We are bound by our oath of office to carry out our duty in accomplishing this most difficult assignment.

I believe in the legislative process. I have worked among you and know that each of you has an abiding devotion to this state and its people. You have the wisdom, experience and courage to meet this challenge. I will not shirk from my share of the responsibility and I am confident neither will you.

We must and we will do what the Court and the Montana Constitution requires of us.

Thank you very much.

Governor Stephens was escorted from the House chamber by the escort committee.

Senator Gage moved the joint session of the 51st Legislature be adjourned. Motion carried.

Members of the Senate retired from the House chamber.

House resumed. Speaker Vincent in the Chair.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-first, thirty-second, and thirty-third legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/14/89

Correctly printed: HB 200, HB 310, HB 355, HB 425, HB 559.

Correctly engrossed: HB 26, HB 186, HB 205, HB 289, HB 342, HB 426, HB 440, HB 478, HB 480, HB 489, HB 492, HB 505, HB 557, HB 573.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):

2/14/89

HB 465, introduced bill, be amended as follows:

1. Title, line 10.

Following: "MCA;"
Strike: "AND"

2. Title, line 11.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE"

3. Page 1.

Following: line 20

Insert: "(3) 'Immediate resale' means a sale of livestock within 60
days of the purchase of the livestock."

Renumber: subsequent subsections

4. Page 1, line 24, through page 2, line 9.

Strike: "buying or selling"

Insert: "purchasing"

Following: "livestock"

Insert: "for immediate resale or interstate shipment"

Following: "."

Strike: remainder of line 24 through page 2, line 9

5. Page 7.

Following: line 16

Insert: "NEW SECTION. Section 9. Effective date. [This act] is
effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 516, introduced bill, be amended as follows:

1. Page 2, line 7.

Following: "land."

Insert: "If there is a substantial difference in terrain or topographical
features of the land between the coterminous owners, responsibility
for maintaining the fence must be determined by mutual agreement
with consideration given to factors such as cost and time."

And, as amended, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/14/89

HB 446, do pass. Report adopted.

HB 651, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

2/14/89

HB 324, introduced bill, be amended as follows:

1. Title, line 5.

Following: "DISTRICT"

Insert: "TO ESTABLISH A POLICY"

2. Page 1, line 20.

Following: "may"

Strike: "delegate to the clerk of the district"

Insert: "adopt a policy that establishes the limits and"

3. Page 1, line 21.

Following: "authority"

Insert: "of the clerk of the district"

And, as amended, do pass. Report adopted.

HB 364, introduced bill, be amended as follows:

1. Title, line 10.

Following: "IN"

Insert: "A"

Following: "SCHOOL"

Insert: "OTHER THAN A POSTSECONDARY SCHOOL"

2. Title, lines 11 and 12.

Following: "PERSONAL"

Strike: remainder of line 11 through "RELIGIOUS" on line 12

Following: "GROUNDS;"

Insert: "TO REQUIRE THAT A RELIGIOUS EXEMPTION BE REASSERTED ANNUALLY BY AFFIDAVIT, SUBJECT TO A PENALTY FOR PERJURY;"

3. Title, line 15.

Following: "REQUIREMENTS;"

Insert: "TO DELETE THE 30-DAY GRACE PERIOD FOR TRANSFER PUPILS; TO REQUIRE A SCHOOL TO RELEASE IMMUNIZATION RECORDS OF A TRANSFERRING PUPIL;"

4. Title, line 15.

Following: "20-5-405,"

Insert: "AND 20-5-408,"

5. Page 2, lines 2 and 3.

Following: "preschool,"

Strike: remainder of line 2 through "university" on line 3

Insert: "or postsecondary school"

6. Page 2, line 12.

Insert: "(6) 'Postsecondary school' means a vocational-technical center, a community college, a unit of the Montana university system, or a private university or college."

Renumber: subsequent subsections

7. Page 2, lines 21 and 22.

Following: "individuals,"

Strike: remainder of line 21 through "establishment" on line 22

8. Page 2, lines 23 and 24.

Following: "work of"

Insert: ";

(a)"

Following: "grade 12"

Strike: remainder of line 23 through "university" on line 24

Insert: ";

(b) a postsecondary school; or

(c) a preschool"

9. Page 3, lines 1 and 2.

Following: "required —"

Strike: remainder of line 1 through "transfers" on line 2

Insert: "release and acceptance of immunization records"

10. Page 3, line 2.

Following: "school"

Insert: "other than a postsecondary school"

11. Page 3, line 10.

Following: "attendance;"

Insert: "or"

12. Page 3, lines 11 through 23.

Following: "exemption"

Strike: remainder of lines 11 through 23

Insert: "."

(2) (a) The governing authority of a postsecondary school may not allow any person to commence attendance as a pupil unless the person:

(i) has been immunized against rubella and measles (rubeola) in the manner and with immunizing agents approved by the department; or

(ii) files for an exemption.

(b) The governing authority of a postsecondary school may impose immunization requirements as a condition of attendance that are more stringent than those required by [this act].

(3) A pupil who transfers from one school district to another may photocopy immunization records in the possession of the school of origin. The school district to which a pupil transfers shall accept the photocopy as evidence of immunization. Within 30 days after a transferring pupil ceases attendance at the school of origin, the school shall send the original immunization records for the pupil to the school district to which the pupil transfers."

13. Page 4, line 1.

Following: "school"

Insert: "other than a postsecondary school"

14. Page 4, line 9.

Following: "Medical"

Insert: "or religious"

15. Page 4, line 20.

Following: line 19

Insert: "(1) When a parent, guardian, or adult who has the responsibility for the care and custody of a minor seeking to attend school or the person seeking to attend school, if an adult, signs and files with the governing authority, prior to the commencement of attendance each school year, a notarized affidavit on a form prescribed by the department stating that immunization is contrary to the religious tenets and practices of the signer, immunization of the person seeking to attend the school may not be required prior to attendance at the school. The statement must be maintained as part of the person's immunization records. A person who falsely claims a religious exemption is subject to the penalty for perjury provided in 45-7-201."

Renumber: subsequent subsections

16. Page 5, line 20.

Following: line 19

Insert: "Section 5. Section 20-5-408, MCA, is amended to read:

"20-5-408. Enforcement. (1) The governing authority of any school other than a postsecondary school shall prohibit from further attendance any pupil allowed to attend conditionally who has failed to obtain the immunizations required by 20-5-403(1) within time

periods established by the department until that pupil has been immunized as required by the department or unless that pupil has been exempted under 20-5-405.

(2) Each governing authority shall file a written report on the immunization status of all pupils under its jurisdiction with the department and the local health department at times and on forms prescribed by the department.

(3) The local and state health departments shall have access to all information relating to immunization of any pupil in any school.”

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 618, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 287 - Representative Pavlovich moved the 2/14/89 adverse committee report on HB 287 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peterson, Phillips, Quilici, Ramirez, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Swift, Swysgood, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 81

Noes: Cohen, Daily, Ellison, Gervais, Giacometto, Harper, Harrington, Pavlovich, Raney, Rehberg, Russell, Strizich, Thoft, Whalen, Wyatt.

Total 15

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Patterson.

Total 1

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 2/13/89

HB 17, introduced by Squires

HB 107, introduced by Spaeth

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 2/13/89

HB 150, introduced by Johnson

Senate bills passed and transmitted to the House for concurrence: 2/13/89

SB 148, introduced by Halligan

SB 182, introduced by Keating

SB 204, introduced by Norman

SB 242, introduced by Harp

SB 243, introduced by Keating
SB 267, introduced by Meyer
SJR 2, introduced by Severson
SJR 7, introduced by Thayer

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 677**, introduced by Driscoll, Whalen, Pavlovich, McCormick, Squires, Kilpatrick, Cocchiarella, O'Keefe, Compton, Glaser, Thomas, Smith, Russell (by request of the House Labor and Employee Relations Committee), referred to Committee on Labor and Employment Relations
- HB 678**, introduced by Gilbert, Halligan, Hannah, Driscoll, Harper, Weeding, Tveit, Beck (by request of the Environmental Quality Council), referred to Committee on Natural Resources
- HB 679**, introduced by Grady, Beck, O'Keefe, Harper, Cohen, Hofman, Raney, Marks, D. Brown, referred to Committee on Natural Resources
- HB 680**, introduced by Grady, Gage, Hofman, Rapp-Svrcek, Beck, O'Keefe, Crippen, Raney, Pipinich, Weeding, D. Brown, Iverson, referred to Committee on Natural Resources
- HB 681**, introduced by Marks, referred to Committee on Rules
- HB 682**, introduced by O'Keefe, Van Valkenburg, Good, Kadas, Cohen, Stang, Campbell, T. Nelson, Grady, Bradley, Vincent, McDonough, Cocchiarella, referred to Committee on Human Services and Aging
- HB 683**, introduced by Marks, Bradley, Thayer, Vincent, Ramirez, Ream, Van Valkenburg, Harp, Swift, Mercer, Crippen, Iverson, Quilici, O'Keefe, Addy, Pavlovich, Halligan, Harrington, D. Brown, Driscoll, Giacometto, Bengtson, Kadas, Spaeth, T. Nelson, Williams, Mazurek, Harper, Meyer, Bardanouve, Peck, Boylan, Devlin, Jergeson, Daily, Blaylock, Simon, Rehberg, Farrell, Nathe (by request of the Governor), referred to Committee on Business and Economic Development
- HB 684**, introduced by Grinde, referred to Committee on Human Services and Aging
- HB 685**, introduced by Daily, referred to Committee on Education and Cultural Resources

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 295 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 83

Noes: Campbell, Clark, Cody, DeBruycker, Good, Grinde, Hanson, Hoffman, Kasten, Swift, Swysgood, Thoft, Thomas, Zook.
Total 14

Excused: Marks, Peck, Ream.
Total 3

Absent or not voting: None.
Total 0

HB 344 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Marks, Peck, Ream.
Total 3

Absent or not voting: None.
Total 0

HB 345 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Elliott, Good, Grinde, Peterson, Stang, Swysgood.
Total 6

Excused: Marks, Peck, Ream.
Total 3

Absent or not voting: None.
Total 0

HB 349 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 350 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Keller.

Total 1

HB 351 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simpkins,

Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Campbell, DeMars, Giacometto, Gilbert, Grady, Grinde, Hanson, Hoffman, Simon, Smith, Swift, Swysgood, Thoft, Westlake, Whalen.

Total 15

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 378 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Aafedt, Campbell, Clark, Giacometto, Guthrie, Hoffman, Owens, Raney.

Total 8

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 388 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Cohen, Grinde, O'Keefe, Steppler, Swysgood, Whalen.

Total 6

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Gervais.

Total 1

HB 394 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Elliott, Gilbert, Hayne, Kasten, Koehnke, Lee, Pavlovich, Simon, Simpkins, Swysgood, Thoft, Thomas.

Total 13

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 401 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bardanouve, Campbell, Elliott, Gilbert, Hansen, Kadas, Koehnke, Russell, Swysgood, Thomas.

Total 10

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Clark.

Total 1

HB 407 passed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Good, Gould, Hannah, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell,

O'Keefe, Quilici, Raney, Rice, Russell, Schye, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 63

Noes: Aafedt, Boharski, Campbell, Cobb, Ellison, Giacometto, Gilbert, Glaser, Grady, Grinde, Guthrie, Hanson, Hayne, Hoffman, Keller, Knapp, T. Nelson, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Spring, Swift, Swysgood, Thoft, Wallin.

Total 32

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Addy, Smith.

Total 2

HB 419 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Clark, Cody, Stang.

Total 3

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Ellison, Keller.

Total 2

HB 421 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Gilbert.

Total 2

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Bardanouve, Ellison, Stickney.

Total 3

HB 429 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Hansen, Kasten.

Total 2

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 430 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Hansen.

Total 1

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Clark.

Total 1

HB 431 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser,

Good, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Hannah, Hansen, Koehnke, Raney, Stang, Whalen.

Total 6

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Keller.

Total 1

HB 432 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Cody, Giacometto, Gilbert, Hannah.

Total 5

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 439 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Bardanouve, Clark, Cobb, Ellison, Giacometto, Gilbert, Guthrie, Hannah, Hanson, Lee, T. Nelson, Roth, Simon, Simpkins, Thomas.

Total 15

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 443 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellision, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Aafedt, Clark, Hanson, Hayne, Owens, Smith.

Total 6

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 455 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Pavlovich, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Cocchiarella, Cody, Ellison, Gervais, Glaser, Grady, Koehnke, Lee, O'Keefe, Patterson, Peterson, Phillips, Raney, Squires, Stang, Steppler, Swysgood, Thoft, Whalen.

Total 19

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 459 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen,

Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Boharski, Ellison, Hannah, Knapp, O'Connell, O'Keefe, Wallin, Wyatt.

Total 8

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 467 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 470 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 85

Noes: Bardanouve, Cody, Cohen, DeBruycker, Good, Guthrie, O'Keefe, Raney, Schye, Steppler, Whalen, Wyatt.

Total 12

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 471 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Steppler, Swift, Swysgood.

Total 4

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Hoffman.

Total 1

HB 481 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 484 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Westlake.

Total 1

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 487 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Harrington.

Total 1

HB 488 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore,

L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Grinde, Guthrie, Kasten, Simpkins, Swysgood.

Total 5

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 531 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bardanouve, Ellison, Good, Grinde, Knapp, Owens, Raney, Steppler, Swysgood, Thoft, Wallin.

Total 11

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 533 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 570 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 91

Noes: Gervais, O'Keefe, Stang, Steppler, Wyatt.

Total 5

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: McCormick.

Total 1

HJR 15 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Aafedt.

Total 1

HJR 16 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie,

Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 90

Noes: Brooke, Cobb, Cocchiarella, Davis, Grinde, Squires, Wyatt.

Total 7

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: None.

Total 0

HJR 17 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Lee.

Total 1

Excused: Marks, Peck, Ream.

Total 3

Absent or not voting: Simpkins.

Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Hannah in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Ream present at this time.

HB 20 - Representative D. Brown moved HB 20 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll,

Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Simon, Squires, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Bachini, Bardanouve, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Mercer, Moore, R. Nelson, Patterson, Peterson, Phillips, Rice, Roth, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 42

Excused: Marks, Peck.

Total 2

Absent or not voting: None.

Total 0

Representatives Cobb, Eudaily, Gilbert, Iverson, Quilici, and Wallin excused at this time.

HB 66 - Representative Schye moved HB 66 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Gould, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 64

Noes: Aafedt, Campbell, Cobb, DeBruycker, Ellison, Giacometto, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Lee, Mercer, Owens, Patterson, Peterson, Phillips, Roth, Simpkins, Smith, Swift, Swysgood, Thoft, Thomas, Zook.

Total 28

Paired: Hansen, Aye; Cobb, No.

Excused: Eudaily, Gilbert, Iverson, Marks, Peck, Quilici, Wallin.

Total 7

Absent or not voting: Clark.

Total 1

HB 173 - Representative R. Nelson moved HB 173 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Giacometto, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peterson, Ramirez, Raney,

Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Zook, Mr. Speaker.
Total 79

Noes: Bardanouve, Cocchiarella, Cody, DeBruycker, DeMars, Good, Grinde, Guthrie, Hannah, O'Keefe, Phillips, Wyatt.
Total 12

Excused: Cobb, Eudaily, Gilbert, Iverson, Marks, Peck, Quilici, Wallin.
Total 8

Absent or not voting: Ellison.
Total 1

HB 190 - Representative Hanson moved HB 190 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: DeMars, Johnson, Swysgood, Thoft, Westlake.
Total 5

Excused: Cobb, Eudaily, Gilbert, Iverson, Marks, Peck, Quilici, Wallin.
Total 8

Absent or not voting: None.
Total 0

HB 232 - Representative D. Brown moved HB 232 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Hannah, Peterson.
Total 2

Excused: Cobb, Eudaily, Gilbert, Iverson, Marks, Peck, Quilici, Wallin.
Total 8

Absent or not voting: O'Connell.

Total 1

Representative Wallin present at this time.

HB 253 - Representative Spring moved HB 253 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Kasten.

Total 1

Excused: Cobb, Eudaily, Gilbert, Iverson, Marks, Peck, Quilici.

Total 7

Absent or not voting: O'Connell.

Total 1

HB 313 - Representative Grady moved HB 313 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cody.

Total 1

Excused: Cobb, Eudaily, Gilbert, Iverson, Marks, Peck, Quilici.

Total 7

Absent or not voting: None.

Total 0

Representative Quilici present at this time.

Representatives Addy, Bardanouve, and Grady excused at this time.

HB 332 - Representative Connelly moved HB 332 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Addy, Bardanouve, Cobb, Eudaily, Gilbert, Grady, Iverson, Marks, Peck.

Total 9

Absent or not voting: Harper, O'Connell.

Total 2

Representatives Compton, Grinde, Harrington, Quilici, and Wallin excused at this time.

HB 336 - Representative Driscoll moved HB 336 do pass. Motion carried as follows:

Ayes: Bachini, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Hansen, Hanson, Harper, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Mercer, Moore, Nisbet, O'Keefe, Pavlovich, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 57

Noes: Aafedt, Boharski, Campbell, DeBruycker, Ellison, Giacometto, Good, Gould, Guthrie, Hannah, Hayne, Hoffman, Keller, Lee, R. Nelson, T. Nelson, Owens, Peterson, Phillips, Rehberg, Simpkins, Smith, Spring, Swift.

Total 24

Excused: Addy, Bardanouve, Cobb, Compton, Eudaily, Gilbert, Grady, Grinde, Harrington, Iverson, Marks, Peck, Quilici, Wallin.

Total 14

Absent or not voting: Blotkamp, Menahan, L. Nelson, O'Connell, Patterson.

Total 5

Representatives Glaser, Kadas, and Ramirez excused at this time.

HB 381 - Representative Menahan moved HB 381 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman,

Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: None.

Total 0

Excused: Addy, Bardanouve, Cobb, Compton, Eudaily, Gilbert, Glaser, Grady, Grinde, Harrington, Iverson, Kadas, Marks, Peck, Quilici, Ramirez, Wallin.

Total 17

Absent or not voting: DeMars, Patterson, Schye.

Total 3

HB 449 - Representative Harper moved HB 449 be placed at the bottom of the second reading board. Motion carried.

Representative Knapp excused at this time.

Representative Addy present at this time.

HB 450 - Representative Giacometto moved HB 450 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Boharski, D. Brown, J. Brown, Campbell, Clark, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Giacometto, Good, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Kimberley, Koehnke, Lee, McDonough, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Raney, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stickney, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook.

Total 55

Noes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, Cocchiarella, Cody, Cohen, Connelly, Davis, Gervais, Gould, Hansen, Harper, Johnson, Kilpatrick, McCormick, Menahan, Moore, L. Nelson, Nisbet, Ream, Russell, Squires, Stepler, Strizich, Mr. Speaker.

Total 27

Paired: Giacometto, Aye; Bardanouve, No.

Excused: Cobb, Compton, Eudaily, Gilbert, Glaser, Grady, Grinde, Harrington, Iverson, Kadas, Knapp, Marks, Peck, Quilici, Ramirez, Wallin.

Total 16

Absent or not voting: O'Keefe, Schye.

Total 2

HB 458 - Representative Harper moved consideration of HB 458 be passed for the day. Motion carried.

Representative Cobb present at this time.

HB 491 - Representative Spaeth moved HB 491 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko,

Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Good, Guthrie, Hansen, Hanson, Harper, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Campbell, Clark, Cobb, Gould, Hannah, Hayne, Peterson, Stang, Swift.

Total 9

Excused: Bardanouve, Compton, Eudaily, Gilbert, Glaser, Grady, Grinde, Harrington, Iverson, Kadas, Knapp, Marks, Peck, Quilici, Ramirez, Wallin.

Total 16

Absent or not voting: Schye, Spring.

Total 2

Representative Simon assumed the Chair at this time.

Representatives Hannah, and Hansen excused at this time.

Representatives Harrington, Quilici, and Wallin present at this time.

HB 512 - Representative Rice moved HB 512 do pass. Motion failed as follows:

Ayes: Aafedt, Boharski, Campbell, Clark, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 45

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Good, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Simon, Squires, Stang, Steppler, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 53

Paired: Compton, Eudaily, Gilbert, Glaser, Grady, Grinde, Hannah, Iverson, Knapp, Marks, Mercer, Ramirez, Rice, Swift, Thomas, Ayes; Addy, Bardanouve, Cody, Darko, Driscoll, Hansen, Kadas, Kimberley, McDonough, Menahan, Nisbet, Raney, Schye, Whalen, Wyatt, Noes.

Excused: Peck.

Total 1

Absent or not voting: Spaeth.

Total 1

Representative Schye excused at this time.

HB 519 - Representative Brooke moved HB 519 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Good, Gould, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Campbell, Giacometto, Guthrie, Keller, Peterson, Rehberg, Steppler, Swysgood, Wallin.

Total 9

Excused: Bardanouve, Compton, Eudaily, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Iverson, Kadas, Knapp, Marks, Peck, Ramirez, Schye.

Total 16

Absent or not voting: Connelly.

Total 1

HB 527 - Representative Zook moved HB 527 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Gervais, Giacometto, Good, Gould, Grady, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Driscoll, Stang, Whalen.

Total 3

Paired: Grady, Aye; Stang, No.

Excused: Bardanouve, Compton, Eudaily, Gilbert, Glaser, Grinde, Hannah, Hansen, Iverson, Kadas, Knapp, Marks, Peck, Ramirez, Schye.

Total 15

Absent or not voting: Connelly, O'Connell.

Total 2

Representatives Gilbert and Hansen present at this time.

HB 584 - Representative Ream moved HB 584 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gilbert, Good, Gould, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson,

T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Campbell, Ellison, Spaeth, Stepler, Swysgood.
Total 5

Excused: Bardanouve, Compton, Eudaily, Glaser, Grady, Grinde, Hannah, Iverson, Kadas, Knapp, Marks, Peck, Ramirez, Schye.
Total 14

Absent or not voting: Connelly, O'Connell.
Total 2

Representatives Eudaily, Grinde, and Schye present at this time.

HJR 12 - Representative Bradley moved HJR 12 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Hansen, Hanson, Harper, Harrington, Hoffman, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Boharski, Campbell, Clark, DeBruycker, Ellison, Giacometto, Gilbert, Good, Gould, Guthrie, Hayne, Koehnke, Swysgood, Westlake.
Total 14

Excused: Bardanouve, Compton, Glaser, Grady, Hannah, Iverson, Kadas, Knapp, Marks, Peck, Ramirez.
Total 11

Absent or not voting: Connelly, Grinde, O'Connell.
Total 3

Representatives Bardanouve, Compton, Kadas, and Knapp present at this time.

HJR 22 - Representative Ream moved HJR 22 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Gilbert, Roth.

Total 2

Excused: Glaser, Grady, Hannah, Iverson, Marks, Peck, Ramirez.

Total 7

Absent or not voting: Connelly, Mercer.

Total 2

Representative Ramirez present at this time.

HB 449 - Representative Schye moved HB 449 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Glaser, Grady, Hannah, Iverson, Marks, Peck.

Total 6

Absent or not voting: Gilbert.

Total 1

Representative Hannah present at this time.

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hannah moved the adoption of the committee report. Report adopted. (91-3)

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):
2/14/89

HB 358, introduced bill, be amended as follows:

1. Page 7, line 11.

Following: "act]."

Insert: "Within 7 days of the expiration of the time limit for the filing of a mediation request,"

Strike: "The"

Insert: "the"

2. Page 9, line 9.

Following: "10]."

Insert: "The farmer and the creditor are entitled to at least 45 days of negotiations in good faith."

3. Page 9, line 13.

Following: "effective."

Insert: "At the end of 10 days, the mediator shall sign a release order allowing the creditor to initiate an action against the borrower."

4. Page 11, line 17.

Following: "agreement"

Strike: the remainder of line 17 through "creditor" on line 18

Insert: ". The farmer and the creditor have 7 days to review the agreement and request modifications. The mediator shall draft the final written mediation agreement to be signed by the farmer and the creditor"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman):

2/14/89

HB 301, introduced bill, be amended as follows:

1. Page 1, line 7.

Following: "1989,"

Insert: "AMENDING SECTION 17, HOUSE BILL NO. 2, LAWS OF 1987,"

2. Page 2, line 4.

Strike: "\$11,465,224"

Insert: "\$12,639,542"

3. Page 2, lines 9 and 10.

Strike: lines 9 and 10 in their entirety

4. Page 2, line 12.

Strike: "7,000"

Insert: "10,000"

5. Page 2, line 13.

Strike: "583,762"

Insert: "512,089"

6. Page 2, line 14.

Strike: "Millage Account 1989 544,325 General Fund"

Insert: "VO-TECHS 1989 34,888 GENERAL FUND"

7. Page 2.

Following: line 18

Insert: "Payout and Recruitment 1989 10,100 General Fund"

8. Page 2.

Following: line 18

Insert: "OFFICE OF PUBLIC INSTRUCTION

| | | | |
|--------------------|------|---------|---------------|
| Foundation Lawsuit | 1989 | 82,120 | General Fund |
| Transportation Aid | 1989 | 215,000 | General Fund" |

9. Page 2.

Following: line 18

Insert: "OFFICE OF PUBLIC INSTRUCTION

| | | | |
|------------------------------|------|--------|------------------|
| Severance Pay-Personal Staff | 1989 | 28,154 | General Fund |
| Severance Pay-Personal Staff | 1989 | 2,873 | State Special |
| Severance Pay-Personal Staff | 1989 | 8,499 | Federal Special" |

10. Page 2, line 20.

Strike: "92,315"

Insert: "63,040"

11. Page 2, line 22.

Strike: "37,287"

Insert: "17,060"

12. Page 2, line 25.

Strike: "247,951"

Insert: "145,399"

13. Page 3, line 4.

Strike: "200,000"

Insert: "294,666"

14. Page 3, line 5.

Strike: "31,076"

Insert: "42,076"

15. Page 3.

Following: line 6

Insert: "Corrections Medical 1989 48,700 General Fund"

16. Page 3, line 9.

Strike: "118,000"

Insert: "93,316"

17. Page 3.

Following: line 9

Insert: "Transportation of Prisoners 1989 60,000 General Fund"

18. Page 3.

Following: line 9

Insert: "Highway Patrol Prisoner P/Diem 1989 100,000 State Special"

19. Page 3.

Following: line 9

Insert: "Highway Patrol Workers' Comp 1989 102,000 State Special"

20. Page 3, line 10.

Insert: "Severance Pay-Personal Staff 1989 19,095 General Fund"

21. Page 3, line 11.

Strike: "11,025"

Insert: "8,500"

22. Page 3.

Following: line 11

Insert: "Clerk of Supreme Court 1989 8,450 General Fund"

23. Page 3.

Following: line 11

Insert: "Severance Pay-Personal Staff 1989 6,667 General Fund"

24. Page 3.

Following: line 14

Insert: "Meat Inspection 1989 19,868 General Fund
Meat Inspection 1989 19,868 Federal Special"

25. Page 3, line 15.

Insert: "SECRETARY OF STATE"

Legal Costs 1989 35,000 General Fund"

26. Page 3, line 15.

Insert: "SECRETARY OF STATE

Severance Pay for Employees 1989 14,702
General Fund"

27. Page 3, line 15.

Strike: lines 15 through 18

Insert: "SECRETARY OF STATE

Severance Pay-Personal Staff 1989 684
General Fund

Severance Pay-Personal Staff 1989 5,683
State Special

GOVERNOR'S OFFICE

Severance Pay-Personal Staff 1989 63,299
General Fund

Severance Pay-Personal Staff 1989 28,838
Federal Special"

28. Page 3, line 19.

Insert: "DEPARTMENT OF MILITARY AFFAIRS

Severance Pay-DES Division 1989 5,490
General Fund

Severance Pay-DES Division 1989 5,490
Federal Special"

29. Page 3, line 19.

Insert: "DEPARTMENT OF MILITARY AFFAIRS

Firefighters Lawsuit-Legal Costs 1989 148,872
General Fund

Firefighters Lawsuit-Settlement 1989 538,398
Federal Special"

30. Page 3, line 19.

Insert: "DEPARTMENT OF COMMERCE

Transportation Division 1989 20,000 General Fund"

31. Page 3, line 19.

Insert: "DEPARTMENT OF COMMERCE

Term. Pay-Coord. of Indian Affairs 1989 5,200
General Fund"

32. Page 3, line 21.

Strike: "15,799,926"

Insert: "17,229,771"

33. Page 3, line 22.

Strike: "101,049"

Insert: "884,161"

34. Page 3, line 23.

Strike: "212,682"

Insert: "223,692"

35. Page 3, line 24.

Strike: "357,787"

Insert: "283,302"

36. Page 3, line 25.

Strike: "16,471,144"

Insert: "18,620,926"

37. Page 3.

Following: line 25

Insert: "Section 5. Section 17, House Bill No. 2, Laws of 1987, the narrative to appropriations to the Department of Social and Rehabilitation Services, on page 1912, Session Laws of Montana, 1987, is amended to read:

~~"Transfer of funds may be made among items 1bii, 5 bi, 5 bv, and 5 bvi. No funds may be transferred from these items to any other portion of the SRS budget."~~

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 554, introduced bill, be amended as follows:

1. Page 3, line 11.

Following: "the"

Insert: "payment of extraordinary costs and the"

2. Page 3, line 23.

Following: "exceed"

Strike: "\$1"

Insert: "\$2"

Following: "one"

Strike: "year of the"

3. Page 5, line 10.

Strike: "shall"

Insert: "may"

And, as amended, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/14/89

HB 483, second reading copy, be amended as follows:

1. Page 1, line 19.

Following: "of"

Insert: "its jurisdiction and of"

2. Page 2, line 12.

Following: "of"

Insert: "its jurisdiction and of"

3. Page 4, line 13.

Following: "of"

Insert: "its jurisdiction and of"

4. Page 5, line 24.

Following: "organizations"

Insert: "through the issuing of bonds as provided in 7-14-1134 and this section to an organization, including a corporation organized under the provisions of Title 32, chapter 4, whose purpose is to

advance economic development of its jurisdiction and the state and its citizens"

And, as amended, do pass. Report adopted.

HB 521, introduced bill, be amended as follows:

1. Page 1, line 19.

Following: "~~same~~"

Insert: "valuable"

2. Page 1, line 20.

Strike: "advertising,"

3. Page 1, line 24, through page 2, line 4.

Strike: subsections (b) and (c) in their entirety

Renumber: subsequent subsections

4. Page 2, line 6.

Strike: "advertising,"

5. Page 2, line 14.

Strike: "advertising,"

6. Page 2, line 18.

Strike: "or"

7. Page 2, line 23.

Following: "lease"

Insert: ";

(e) aids, attempts, or offers to aid for a fee any person in locating or obtaining any real estate for purchase or lease; or

(f) advertises or holds himself out as engaged in any of the activities referred to in subsections (3)(a) through (3)(f)"

8. Page 4, line 8.

Following: "~~single~~"

Insert: "(1)"

9. Page 4, line 16.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

10. Page 6, line 4.

Following: line 3

Insert: "(2) The provisions of this chapter do not apply to a newspaper or other publication of general circulation or to a radio or television station engaged in the normal course of business."

And, as amended, do pass. Report adopted.

HB 535, introduced bill, be amended as follows:

1. Page 8, line 12.

Strike: "once"

Insert: "twice"

2. Page 12, line 22.

Strike: "or representative"

And, as amended, do pass. Report adopted.

HB 577, introduced bill, be amended as follows:

1. Page 7, line 2.
Strike: "federal,"

And, as amended, do pass. Report adopted.

HB 611, introduced bill, be amended as follows:

1. Title, line 6.
Following: "BY"

Insert: "CREDITORS AND"

2. Title, line 7.
Following: "COMES"

Insert: "AND ADJOINING MONTANA COUNTIES"

Following: ".,"
Strike: "AND"

3. Title, line 8.
Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

4. Page 1, line 20.
Following: "by"

Insert: "a person who has extended credit to a transferor or"

5. Page 1, line 21.
Following: "comes"

Insert: "or adjoining Montana counties"

6. Page 2, line 10.
Following: "by"

Insert: "a person who has extended credit to a transferor or"

7. Page 2, line 11.
Strike: "county"
Insert: "counties"

8. Page 2, line 21.
Following: "by"

Insert: "a person who has extended credit to a transferor or"

9. Page 2, line 22.
Following: "comes"

Insert: "or adjoining Montana counties"

10. Page 3, line 5.
Following: line 4

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 1989."

And, as amended, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

2/14/89

HB 499, introduced bill, be amended as follows:

1. Page 1, line 10 and page 2, line 4.
Following: "who" on line 10 and "who" on line 4
Insert: "knowingly"

And, as amended, do pass. Report adopted.

HB 504, do pass. Report adopted.

HB 534, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/14/89

HB 413, second reading copy, be amended as follows:

1. Page 2.

Following: line 16

Insert: "(2) When the existing rights of all appropriators from a source or in an area have been determined in a final decree issued under chapter 2 of this title, the judge of the district court ~~shall~~ may upon application by both the department of natural resources and conservation and one or more holders of valid water rights in the source appoint a water commissioner. The water commissioner shall distribute to the appropriators, from the source or in the area, the water to which they are entitled."

Renumber: subsequent subsections

2. Page 3, line 6.

Following: "compensation."

Insert: "The judge may include the department in the apportionment of costs if it applied for the appointment of a water commissioner under subsection (2)."

And, as amended, do pass. Report adopted.

HB 486, introduced bill, be amended as follows:

1. Title, line 6.

Following: "SITES;"

Insert: "AND"

2. Title, line 7.

Following: "MCA"

Strike: ";" through "DATE"

3. Page 4, line 22.

Following: "monitoring"

Insert: "— exceptions"

4. Page 4, line 23.

Strike: "Owners"

Insert: "Except as provided in subsections (2) and (3), owners"

5. Page 5.

Following: line 16

Insert: "(3) Unless site-specific information developed pursuant to subsection (4) indicates a particular need for the monitoring described in subsections (3)(a) or (3)(b), the department may not require:

(a) more than four monitoring wells; or

(b) any groundwater monitoring if the depth to groundwater exceeds 100 feet from the bottom of the municipal solid waste land-fill or other disposal site."

Renumber: subsequent subsections

6. Page 6, line 9.

Strike: "(3)"

Insert: "(4)"

7. Page 6, line 14.

Strike: "(3)"

Insert: "(4)"

8. Page 7, line 14.

Strike: "[section 2(3)]"

Insert: "[section 2(4)]"

9. Page 7, line 25 through page 8, line 1.

Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

HB 540, do pass. Report adopted.

HB 542, introduced bill, be amended as follows:

1. Title, lines 4 through 7.

Strike: "CHANGING" on line 4 through "," on line 7

Following: "REQUIRING" on line 7

Strike: "THE"

Insert: "AN"

2. Title, lines 8 and 9.

Following: "APPLICANT"

Insert: "FOR A WATER USE PERMIT"

Strike: "CLEAR" on line 8 through "CONVINCING" on line 9

Insert: "SUBSTANTIAL CREDIBLE"

3. Page 1, lines 17 through 19.

Strike: ", or" on line 17 through "part," on line 19

4. Page 5, line 7.

Strike: "clear and convincing"

Insert: "substantial credible"

5. Page 5, line 9.

Following: "evidence"

Insert: ", including water supply data, field reports, and other information developed by the department, the U. S. geological survey, or the U. S. soil conservation service and other specific field studies,"

And, as amended, do pass. Report adopted.

HB 581, do pass. Report adopted.

HJR 9, introduced bill, be amended as follows:

1. Title, line 8.

Following: "COLUMBIA"

Insert: "; RECOGNIZING THE FINDINGS OF ADVERSE IMPACTS CONTAINED IN TECHNICAL REPORTS PREPARED FOR THE INTERNATIONAL JOINT COMMISSION; ANTICIPATING THOSE FINDINGS WILL BE SUSTAINED IN RECOMMENDATIONS OF THE INTERNATIONAL JOINT COMMISSION; AND ENDORSING THE CONCEPT OF COOPERATIVE, LONG-TERM RESOURCE MANAGEMENT AMONG THE GOVERNMENTS OF MONTANA, BRITISH COLUMBIA, THE UNITED STATES, AND CANADA FOR THE NORTH FORK OF THE FLATHEAD RIVER DRAINAGE IN MONTANA AND THE FLATHEAD RIVER DRAINAGE IN BRITISH COLUMBIA"

2. Page 2, line 17.

Strike: "."

Insert: “; and

WHEREAS, in response to testimony by the State of Montana, the Flathead Basin Commission, and others and in consideration of technical findings revealing that the coal mine would pose an unacceptable risk of environmental degradation, it is anticipated the International Joint Commission will sustain the testimony and findings through a recommendation against development of the mine; and

WHEREAS, information developed through the international reference on the mine proposal has demonstrated the need to address land management issues in the North Fork of the Flathead River drainage in Montana and the Flathead River drainage in British Columbia in the context of the long-term conservation of resource values; and

WHEREAS, the International Joint Commission is in receipt of a proposal by the State of Montana that the governments of Montana, British Columbia, the United States, and Canada establish a cooperative structure to achieve conservation goals in the drainage while maintaining appropriate resource development options.”

3. Page 2, line 21.

Following: “Legislature”

Insert: “recognize the findings of adverse impacts contained in technical reports prepared for the International Joint Commission and”

4. Page 2.

Following: line 24

Insert: “(2) That the Legislature, anticipating that those findings will be sustained in the recommendations of the International Joint Commission, endorse the concept of cooperative, long-term resource management among the governments of Montana, the United States, British Columbia, and Canada for the North Fork of the Flathead River drainage in Montana and the Flathead River drainage in British Columbia.”

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HJR 18, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Strike: “RECONSIDER” on line 6 through “REVISE” on line 7

Insert: “CONSIDER THE COST EFFECTS OF”

2. Page 3, line 5.

Strike: “reconsider”

Insert: “consider the cost effects of”

3. Page 3, line 6.

Strike: “and” through “effects”

4. Page 3, line 7.

Strike: “less onerous”

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

- HB 686**, introduced by McCormick, Pavlovich, Nisbet, referred to Committee on Human Services and Aging
- HB 687**, introduced by Schye, referred to Committee on Local Government
- HB 688**, introduced by Simon, Hager (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging
- HB 689**, introduced by Harrington, McCormick, Weeding, Lynch, Westlake, Beck, Anderson, Iverson, D. Brown, Yellowtail, Ream, Pipinich, Vincent, Pavlovich, Driscoll, Whalen, Stimatz, Jergeson, Bachini, Manning, Walker, Halligan, Squires, Stang, Daily, Strizich, Nisbet, Schye, Connelly, referred to Committee on Highways and Transportation
- HB 690**, introduced by Spaeth, Smith, Thomas, Harp, referred to Committee on Business and Economic Development
- HB 691**, introduced by Simpkins, referred to Committee on State Administration
- HB 692**, introduced by Hannah, referred to Committee on Appropriations
- HB 693**, introduced by Addy, referred to Committee on State Administration
- HB 694**, introduced by Squires, Gervais, Whalen, Walker, Cohen, Pipinich, Manning, McCormick, Strizich, Moore, Driscoll, Menahan, Harp, Russell, Pavlovich, Kilpatrick, Raney, Van Valkenburg, Yellowtail, referred to Committee on Labor and Employment Relations
- HB 695**, introduced by Whalen, Manning, Harrington, Cohen, Pipinich, McCormick, Moore, Driscoll, Raney, Harper, Pavlovich, Russell, Menahan, Kilpatrick, Van Valkenburg, Yellowtail, Norman, referred to Committee on Labor and Employment Relations
- HB 696**, introduced by Whalen, Walker, Stickney, Kilpatrick, Raney, Campbell, Darko, Giacometto, Rice, DeBruycker, Zook, Hoffman, Strizich, Gervais, O'Connell, Peck, Hansen, Russell, Hannah, Manning, Compton, Moore, Pavlovich, Blotkamp, referred to Committee on Business and Economic Development
- HB 697**, introduced by Cohen, Whalen, Eck, Yellowtail, O'Keefe, referred to Committee on Natural Resources
- HB 700**, introduced by Pavlovich, Manning, Ellison, Lee, Vaughn, Stimatz, Campbell, Patterson, Tveit, Lynch, Devlin, Nathe, Williams, Johnson, Hayne, Driscoll, O'Connell, Quilici, McCormick, Thomas, Swift, Blotkamp, Daily, Menahan, Glaser, Swysgood, Nisbet, Harrington, Phillips, Hannah, Giacometto, referred to Committee on State Administration
- HJR 25**, introduced by D. Brown, Pavlovich, Daily, Simon, Rehberg, Driscoll, Addy, Roth, Menahan, Spaeth, Swysgood, Whalen, Kimberley, Kilpatrick, Raney, T. Nelson, Patterson, referred to Committee on Natural Resources

MOTIONS

Representative Harper moved consideration of HB 458 be passed from the 39th legislative day until the 40th legislative day. Motion carried.

Representative Spaeth moved HB 66 and HB 173 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 1:00 p.m., Wednesday, February 15, 1989.

Motion carried.

House adjourned at 2:55 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 15, 1989

House Chambers
State Capitol

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Representative McDonough. Pledge of Allegiance to the Flag.

Roll call. All members present except Clark and Cohen, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/15/89
Correctly printed: HB 301, HB 324, HB 358, HB 364, HB 413, HB 446, HB 465, HB 483, HB 486, HB 499, HB 504, HB 516, HB 521, HB 534, HB 535, HB 540, HB 542, HB 554, HB 577, HB 581, HB 611, HB 618, HB 651, HJR 9, HJR 18.
Correctly engrossed: HB 20, HB 190, HB 232, HB 253, HB 313, HB 332, HB 336, HB 381, HB 449, HB 450, HB 491, HB 519, HB 527, HB 584, HJR 12, HJR 22.
Correctly enrolled: HB 19, HB 29, HB 130.
Examined by the sponsors and found to be correct: 2/14/89
HB 19 - Swysgood
HB 29 - Harrington
HB 130 - Stang
Signed by the Speaker at 3:15 p.m., 2/14/89: HB 19, HB 29, HB 130.
Delivered to the Governor for his approval at 4:52 p.m., 2/14/89: HB 19, HB 29, HB 130.

FISH AND GAME (Ream, Chairman): 2/15/89
HB 356, do pass. Report adopted.
HB 383, introduced bill, be amended as follows:

1. Title, lines 10 and 11.
Strike: "INCREASING THE TROPHY FEE FOR A FEMALE MOUNTAIN LION TO \$150;"
2. Title, line 12.
Strike: "87-2-507, 87-2-508,"
3. Title, line 13.
Following: "PROVIDING"
Insert: "AN"
Following: "EFFECTIVE"
Strike: "DATES"
Insert: "DATE"
4. Page 2, line 16.
Following: "exceed"
Insert: "a fee not to exceed"
5. Page 3, line 23 through page 5, line 19.
Strike: sections 4 and 5 in their entirety
Renumber: subsequent sections
6. Page 5, lines 24 and 25.
Strike: "(1) [Sections 1 through 3 and this section] are"
Insert: "[This act] is"
7. Page 6, line 2.
Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HB 662, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, line 3.

Following: "for"

Insert: "a campsite rented by a"

3. Page 2, line 11.

Following: line 10

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):

2/15/89

HB 458, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "ACT;" on line 6

Strike: "AND"

Following: "MCA" on line 7

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, following line 7.

Insert: "WHEREAS, the practice of direct-entry midwifery has been practiced in the state of Montana since territorial days; and

WHEREAS, it is the intent of the legislature to allow direct-entry midwives to continue serving Montana parents without fear of criminal prosecution; and

WHEREAS, the Legislature requests direct-entry midwives to establish standards of practice at the next regular legislative session.

THEREFORE, the Legislature of the State of Montana finds it reasonable and necessary to maintain the current status of direct-entry midwives in the state until the 1991 regular session."

3. Page 3, line 23.

Following: "labor,"

Insert: "natural childbirth,"

4. Page 4, following line 10.

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 2/15/89

HB 677, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

2/14/89

HB 482, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "DEPARTMENTS OF HEALTH"
Insert: "GOVERNMENTS"

2. Title, line 7.

Following: "PROJECTS;"

Insert: "TO ALLOW THE BOARD OF HEALTH AND ENVIRONMENTAL SCIENCES TO ADOPT RULES RELATING TO THE DELEGATION OF REVIEW;"

3. Title, line 7.

Strike: "SECTIONS"

Insert: "SECTION"

4. Title, line 8.

Strike: "AND 75-6-112"

5. Page 1.

Following: line 8

Insert:

"STATEMENT OF INTENT"

A statement of intent is required for [this act] because section 1(2) grants rulemaking authority to the board of health and environmental sciences. The board would adopt rules governing the delegation to local governments of review of small public water systems and extensions or alterations of existing public water and sewer systems.

The rules are intended to establish criteria that would be used to determine whether a division of a local government has a review program suitable for delegation of review. The rules would specify the acceptable level of expertise and other factors necessary for local review and, if review authority has been granted, the circumstances under which the authority should be terminated or reviewed.

The rules are also intended to address the size of public water and sewer systems that would be subject to local review."

6. Page 1, line 11.

Strike: "Submission and approval"

Insert: "Delegation of review"

7. Page 1, line 12.

Following: line 11

Insert: "small"

8. Page 1, lines 12 through 22.

Strike: "A" on line 12 through "(2)" on line 22

9. Page 1, line 22.

Strike: "department of health"

Insert: "government requests a delegation and the appropriate division of the local government"

10. Page 1, line 24.

Following: "the"

Insert: "division of"

Strike: "department of health"

Insert: "government"

11. Page 1, line 25.

Following: "(a)"

Insert: "small"

Following: "water"

Insert: "and sewer"

Following: "systems"

Strike: "that have less than 10"

12. Page 2, line 1.

Strike: "service connections to year-around residents"

13. Page 2, lines 2 through 4.

Following: "(b)"

Strike: the remainder of subsection (b)

Insert: "extensions or alterations of existing public water and sewer systems that involve 50 or fewer connections"

14. Page 2.

Following: line 4

Insert: "(2) The board may adopt rules regarding the delegation of review authority to divisions of local government."

15. Page 4, line 20 through page 5, line 23.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 501, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "41-3-1122"

Insert: "AND 53-2-322"

2. Page 2.

Following: line 16

Insert: "Section 2. Section 53-2-322, MCA, is amended to read:

"53-2-322. County to levy taxes, budget, and make expenditures for public assistance activities. (1) The board of county commissioners in each county shall levy 13.5 mills for the county poor fund as provided by law or so much thereof as may be necessary. Counties transferring public assistance and protective services responsibilities to the state under part 8 of this chapter may not levy more than the difference between 13.5 mills and the state levy pursuant to 53-2-813.

(2) The board shall budget and expend so much of the funds in the county poor fund for public assistance and protective services purposes as will enable the county welfare department to pay the general relief activities of the county and to reimburse the department of social and rehabilitation services ~~and the department of family services~~ for the county's proportionate share of the administrative costs of the county welfare department and of all public assistance ~~and protective services~~ and its proportionate share of any other public assistance activity that may be carried on jointly by the state and the county.

(3) The amounts set up in the budget for the reimbursements to the department of social and rehabilitation services ~~and the department of family services~~ shall be sufficient to make all of these reimbursements in full. The budget shall make separate provision for

each one of these public assistance ~~and protective services~~ activities, and proper accounts shall be established for the funds for all such activities.

(4) The department of social and rehabilitation services shall submit to the counties, no later than May 10, the most current county participation percentages that are necessary to establish preliminary county budgets. As soon as the county proposed budget provided for in 7-6-2315 has been agreed upon, a copy thereof shall without delay be mailed to the department of social and rehabilitation services, and at any time before the final adoption of the budget, the department shall make such recommendations with regard to changes in any part of the budget relating to the county poor fund as considered necessary in order to enable the county to discharge its obligations under the public assistance laws.

(5) The department of social and rehabilitation services shall promptly examine the county proposed budget in order to ascertain if the amounts provided for reimbursements to the department are likely to be sufficient and shall notify the county clerk of its findings. The board shall make such changes in the amounts provided for reimbursements, if any are required, in order that the county will be able to make the reimbursements in full.

(6) The board of county commissioners may not make any transfer from the amounts budgeted for reimbursing the department of social and rehabilitation services without having first obtained a statement in writing from the department to the effect that the amount to be transferred will not be required during the fiscal year for the purposes for which the amounts were provided in the budget.

(7) No part of the county poor fund, irrespective of the source of any part thereof, may be used directly or indirectly for the erection or improvement of any county building so long as the fund is needed for general relief expenditures by the county or is needed for paying the county's proportionate share of public assistance and protective services or its proportionate share of any other public assistance activity that may be carried on jointly by the state and the county. Expenditures for improvement of any county buildings used directly for care of the poor, except a county hospital or county nursing home, may be made out of any moneys in the county poor fund, whether such moneys are produced by the 13.5-mill levy provided for in subsection (1) of this section or from any additional levy authorized or to be authorized by law. Such expenditure shall be authorized only when any county building used for the care of the poor must be improved in order to meet legal standards required for such buildings by the department of health and environmental sciences and when such expenditure has been approved by the department of social and rehabilitation services and the department of family services."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 667, do pass. Report adopted.

RULES (Harper, Chairman):

2/14/89

HB 610, do pass. Report adopted.

TAXATION (Harrington, Chairman):

2/14/89

Adverse Committee Report

HB 161, introduced bill, be amended as follows:

1. Title, line 9.

Following: line 8

Strike: "REDUCING THE ROLLBACK PERIOD TO 3 YEARS;"

2. Page 1, line 19.

Strike: "zoned"

Insert: "used"

3. Page 4, line 7.

Following: "in"

Strike: "three"

Insert: "five"

4. Page 4, line 9.

Following: "the first"

Strike: "3"

Insert: "5"

And, as amended, do not pass.

MESSAGES FROM THE SENATE

House bills concurred and returned to the House:

2/14/89

HB 61, introduced by Grady**HB 91**, introduced by Roth**HB 136**, introduced by DeMars**HB 137**, introduced by DeMars**HB 138**, introduced by DeMars**HB 230**, introduced by Kimberley**HB 275**, introduced by L. Nelson

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

2/14/89

HB 120, introduced by Giacometto**HB 123**, introduced by Spaeth

Senate bills passed and transmitted to the House for concurrence: 2/14/89

SB 63, introduced by Hager**SB 138**, introduced by B. Brown**SB 237**, introduced by Severson**SB 295**, introduced by Hager**SB 298**, introduced by Farrell**SB 314**, introduced by Regan**SB 320**, introduced by Manning**SB 326**, introduced by Yellowtail**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committees:

HB 698, introduced by Campbell, Beck, referred to Committee on Local Government**HB 699**, introduced by Addy, Stickney, Connelly, Beck, Halligan, referred to Committee on Judiciary

- HB 701**, introduced by Swysgood, referred to Committee on Agriculture, Livestock, and Irrigation
- HB 702**, introduced by Cobb, referred to Committee on Natural Resources
- HB 703**, introduced by Ramirez, Crippen, referred to Committee on Taxation
- HB 704**, introduced by Cohen, Walker, referred to Committee on Local Government
- HB 705**, introduced by Hannah, Driscoll, B. Brown, Bishop, Lynch, referred to Committee on Business and Economic Development
- HB 706**, introduced by T. Nelson, referred to Committee on Business and Economic Development
- HB 707**, introduced by Iverson, Harper, Glaser, Raney, O'Keefe, Mercer, Lynch, Walker, Simon, Hannah, Grady, Bengtson, Harp, Driscoll, Yellowtail, McLane, Bishop, D. Brown (by request of the Governor), referred to Committee on Natural Resources
- HB 708**, introduced by Simon, referred to Committee on State Administration
- HB 709**, introduced by Hanson, Yellowtail, Russell, referred to Committee on Highways and Transportation
- HB 710**, introduced by Driscoll, referred to Committee on Labor and Employment Relations
- HJR 26**, introduced by Cohen, Connelly, Moore, Ream, Gervais, Harp, Raney, DeMars, DeBruycker, Strizich, Pipinich, B. Brown, referred to Committee on Fish and Game

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 26 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Daily, Wallin.

Total 2

Excused: Clark, Cohen.

Total 2

Absent or not voting: Campbell.

Total 1

HB 186 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott,

Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Hanson, Keller, Phillips.

Total 3

Excused: Clark, Cohen.

Total 2

Absent or not voting: Darko, Pavlovich.

Total 2

HB 205 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 85

Noes: Cobb, DeBruycker, Ellison, Giacometto, Grinde, Kasten, McCormick, Ramirez, Simpkins, Steppler, Swysgood, Zook.

Total 12

Excused: Clark, Cohen.

Total 2

Absent or not voting: Peterson.

Total 1

HB 289 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bardanouve, Bradley, Cobb, Cocchiarella, Elliott, Gervais, Grinde, McDonough, O'Keefe, Raney, Ream.

Total 11

Excused: Clark, Cohen.

Total 2

Absent or not voting: Ellison, Roth.

Total 2

HB 342 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Hayne, Iverson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Boharski, D. Brown, Cobb, DeBruycker, DeMars, Giacometto, Glaser, Good, Grinde, Hannah, Hanson, Hoffman, Johnson, Keller, Marks, Ramirez, Rehberg, Simon, Simpkins, Stang, Swift, Swysgood, Thoft, Whalen.

Total 24

Excused: Clark, Cohen.

Total 2

Absent or not voting: None.

Total 0

HB 426 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Clark, Cohen.

Total 2

Absent or not voting: Cobb, Ellison.

Total 2

HB 440 passed as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Stickney, Strizich, Swift, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Aafedt, Bardanouve, Ellison, Gilbert, Hannah, Keller, Lee, Owens, Ramirez, Rice, Simon, Squires, Stang, Stepler, Swysgood, Thoft, Wallin.

Total 17

Excused: Clark, Cohen.

Total 2

Absent or not voting: Darko.

Total 1

HB 478 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Good, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Boharski, Campbell, Driscoll, Gilbert, Glaser, Gould, Guthrie, Smith, Stepler, Swysgood, Thoft.

Total 11

Excused: Clark, Cohen.

Total 2

Absent or not voting: None.

Total 0

HB 480 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Clark, Cohen.

Total 2

Absent or not voting: Zook.

Total 1

HB 489 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Clark, Cohen.

Total 2

Absent or not voting: Hoffman.

Total 1

HB 492 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Stang, Steppler.

Total 2

Excused: Clark, Cohen.

Total 2

Absent or not voting: None.

Total 0

HB 505 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: DeBruycker, Hannah, Keller, Lee.

Total 4

Excused: Clark, Cohen.

Total 2

Absent or not voting: Good, Menahan.

Total 2

HB 557 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Clark, Cohen.

Total 2

Absent or not voting: None.

Total 0

HB 573 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson,

R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bardanouve, Boharski, Elliott, Ellison, Eudaily, Good, Hannah, Harper, Hayne, Kasten, Lee, Marks, Ramirez, Rice, Simpkins, Spring.
Total 16

Excused: Clark, Cohen.
Total 2

Absent or not voting: None.
Total 0

HJR 6 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Hayne.
Total 1

Excused: Clark, Cohen.
Total 2

Absent or not voting: Hanson, O'Keefe, Quilici.
Total 3

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Daily in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 310 - Representative Schye moved HB 310, second reading copy, be amended as follows:

1. Page 1, line 4.
Strike: "THIS SECTION"
Insert: "[This act]"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody,

Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Clark, Cohen.

Total 2

Absent or not voting: None.

Total 0

Representative Schye moved HB 310, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Clark, Cohen.

Total 2

Absent or not voting: None.

Total 0

HB 355 - Representative Pavlovich moved HB 355 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring,

Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 82

Noes: Campbell, Cobb, Compton, DeBruycker, Ellison, Gilbert, Gould, Guthrie, Hanson, Kasten, Lee, Phillips, Rice, Squires, Stepler, Wyatt.

Total 16

Excused: Clark, Cohen.

Total 2

Absent or not voting: None.

Total 0

HB 425 - Representative Vincent moved HB 425 do pass.

Representative Driscoll made a substitute motion HB 425, second reading copy, be amended as follows:

1. Page 6, line 13.

Following: line 13

Insert: "If there has been no additional conviction for an offense under this section for a period of 5 years after a prior conviction hereunder, then such prior offense shall be expunged from the defendant's record."

Amendment passed as follows:

Ayes: Aafedt, Addy, Blotkamp, D. Brown, J. Brown, Cobb, Cody, Compton, Connelly, Daily, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Harrington, Hayne, Hoffman, Iverson, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Smith, Squires, Stang, Stepler, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook.

Total 57

Noes: Bachini, Boharski, Bradley, Brooke, Campbell, Cocchiarella, Darko, Davis, Eudaily, Gilbert, Good, Gould, Guthrie, Harper, Johnson, Kadas, Kasten, Keller, Knapp, Koehnke, Lee, Mercer, Moore, R. Nelson, T. Nelson, Peck, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Stickney, Strizich, Thomas, Wallin, Mr. Speaker.

Total 40

Excused: Clark, Cohen.

Total 2

Absent or not voting: Bardanouve.

Total 1

Representative Clark present at this time.

Thereupon, HB 425, as amended, passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson,

T. Nelson, Nisbet, O'Keefe, Patterson, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Campbell, Gervais, Gilbert, Glaser, McCormick, Owens, Pavlovich, Phillips, Smith, Stang, Whalen.
Total 11

Excused: Cohen.
Total 1

Absent or not voting: O'Connell.
Total 1

HB 464 - Representative Bradley moved consideration of HB 464 be passed for the day. Motion carried.

HB 559 - Representative Eudaily moved HB 559 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Gilbert.
Total 1

Excused: Cohen.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Daily moved the adoption of the committee report. Report adopted. (95-1)

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (J. Brown, Chairman):

2/15/89

HB 234, do pass. Report adopted.

HB 317, introduced bill, be amended as follows:

1. Title, line 10.

Following: "COMPENSATION"

Insert: "SUBJECT TO RULES ADOPTED BY THE TEACHERS' RETIREMENT BOARD"

2. Page 1.

Following: line 12

Insert:

“STATEMENT OF INTENT

It is the intent of the legislature to provide equitable retirement benefits to all members of the teachers' retirement system based on their normal service and salary. The legislature further intends to limit the effect on the retirement system of isolated salary increases received by selected individuals through promotions or one-time salary enhancements during their last years of employment.

The bill provides that the amount of each year's earned compensation that may be used in calculating a member's average final compensation may not exceed the member's earned compensation for the preceding year by more than 10%, except as provided by rule by the board. The legislature intends that the board's rules exempt from the 10% statutory cap increases that:

- (1) result from collective bargaining agreements;
- (2) have been granted by the employer to all other similarly situated employees; or
- (3) have been received as compensation for summer employment.

In addition, the legislature intends that the board's rules require a member to provide adequate documentation to permit the board to make an informed decision concerning exceptions to the 10% statutory cap.”

3. Page 2, line 16.

Strike: “The”

Insert: “In determining a member's retirement allowance under 19-4-802 or 19-4-804, the”

4. Page 2, lines 18 and 19.

Strike: “the” on line 18 through “of” on line 19

5. Page 2, line 19.

Following: “of the”

Insert: “member's”

6. Page 2, lines 20 through 23.

Strike: “;” on line 20 through “system” on line 23

Insert: “by more than 10%, except as provided by rule by the retirement board”

7. Page 2, line 25.

Strike: “shall be”

Insert: “is”

And, as amended, do pass. Report adopted.

HB 543, introduced bill, be amended as follows:

1. Page 6, line 5.

Strike: “\$4”

Insert: “\$3.50”

2. Page 6, line 11.

Strike: “25%” through “revenue”

Insert: “50 cents”

Strike: “this”

Insert: "each"
Following: "fee"
Insert: "collected"

And, as amended, do pass. Report adopted.

HB 605, introduced bill, be amended as follows:

1. Title, line 6.

Following: ","

Insert: "CLARIFYING THE DEPARTMENT OF REVENUE'S
PROCEDURES REGARDING TAX OFFSETS;"

And, as amended, do pass. Report adopted.

HB 620, introduced bill, be amended as follows:

1. Page 1, line 10.

Strike: "provide"

Insert: "knowingly or purposely disseminate"

2. Page 1, lines 12 through 15.

Strike: "." on line 12 through "official" on line 15

Insert: "or gives the impression that the"

3. Page 1, line 15.

Strike: "or" through "sanctioned"

Insert: "has been officially disseminated"

Following: "by"

Insert: "an"

4. Page 1, line 16.

Strike: "officials"

Insert: "administrator"

And, as amended, do pass. Report adopted.

HB 636, do pass and be placed on consent calendar. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 711, introduced by Cobb, Jacobson (by request of the Legislative Audit Committee), referred to Committee on Business and Economic Development

HB 712, introduced by Wallin, Boylan (by request of the Attorney General), referred to Committee on Highways and Transportation

HB 713, introduced by Hannah, referred to Committee on Highways and Transportation

HB 714, introduced by J. Brown, Connelly, referred to Committee on State Administration

HB 715, introduced by Ream, B. Brown, referred to Committee on Natural Resources

HJR 27, introduced by Cohen, Raney, Blotkamp, Stepler, Connelly, Stickney, Darko, Menahan, Johnson, Driscoll, L. Nelson, Addy, Russell, J. Brown, Harper, Koehnke, Kimberley, Whalen, Kilpatrick, Hansen, Brooke, Davis, Kadas, Cocchiarella, McDonough, Harrington, Ream, Moore, Squires, Peck, Bradley, O'Keefe, referred to Committee on State Administration

MOTIONS

Representative Boharski moved the House reconsider its action on HB 512 taken on second reading the previous legislative day for the purpose of amendment. Motion failed. (46-53)

Representative Schye moved HB 687 be taken from the Committee on Local Government and rereferred to the Committee on Taxation. Motion carried.

Representative Steppler moved his vote on HB 505, third reading, be recorded as yes. Motion carried.

REPORTS OF STANDING COMMITTEES

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 2/15/89
HB 596, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: line 20

Insert: "NEW SECTION. Section 2. Coordination instruction. If House Bill No. 165 is passed and approved and if it includes a section that amends 23-2-804, [this act] is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman): 2/15/89
HB 393, introduced bill, be amended as follows:

1. Title, lines 5 through 7.

Strike: "CLARIFYING" on line 5 through "SUBSTANCE;" on line 7

Insert: "INCREASING THE PENALTY FOR A PERSON BETWEEN 18 AND 21 YEARS OF AGE WHO POSSESSES AN ALCOHOLIC BEVERAGE;"

2. Title, line 10.

Strike: "SECTIONS 45-2-101 AND"

Insert: "SECTION"

3. Page 1, line 13 through page 18, line 3.

Strike: section 1 in its entirety

Renumber: subsequent section

4. Page 18, line 22.

Strike: "\$500"

Insert: "\$50 for a first offense, \$100 for a second offense, and \$200 for a third offense. For a fourth or subsequent offense a person may be fined an amount not to exceed \$300"

And, as amended, do pass. Report adopted.

HB 422, introduced bill, be amended as follows:

1. Page 1, line 11.

Following: the title

Insert:

"STATEMENT OF INTENT"

A statement of intent is needed for this bill because [section 4] grants the department of health and environmental sciences authority to adopt rules to implement the Montana Living Will Act. It is

intended that the rules address, among other things, living will protocols, reliable documentation of declarations, and training for emergency medical services personnel to inform them of the provisions of the act and implementing rules. In developing the rules, the department should seek the advice and aid of medical associations and organizations, including those relating to hospices, home health organizations, and emergency medical services."

2. Title, line 9.

Following: "PROVIDER;"

Insert: "GRANTING IMMUNITY TO EMERGENCY MEDICAL SERVICES PERSONNEL;"

3. Page 1, line 19.

Following: line 18

Insert: "(2) "Board" means the Montana state board of medical examiners."

Renumber: subsequent subsections

4. Page 1, line 21.

Following: line 20

Insert: "(4) "Department" means the department of health and environmental sciences."

Renumber: subsequent subsections

5. Page 1, line 22.

Strike: "police, paramedics"

Insert: "law enforcement officers, first responders"

6. Page 1, line 23.

Strike: "rescue squads"

Insert: "emergency services personnel"

7. Page 2, lines 7 and 8.

Strike: "and includes" on line 7 through "personnel" on line 8

8. Page 2, line 9.

Following: line 8

Insert: "(8) "Living will protocol" means a locally developed, community-wide method or a standardized, state-wide method developed by the department and approved by the board, of providing palliative care to and withholding life-sustaining procedures from a qualified patient under 50-9-202 by emergency medical service personnel."

Renumber: subsequent subsections

9. Page 2, line 15.

Following: line 14

Insert: "(11) "Reliable documentation" means a standardized, state-wide identification card or form or a necklace or bracelet of uniform design, adopted by a written, formal understanding of the local community emergency medical services agencies and licensed hospice and home health agencies, that signifies and certifies that a valid and current declaration is on file and that the individual is a qualified patient."

Renumber: subsequent subsection

10. Page 3, line 4.

Following: "communicated."

Insert: "A health care provider or emergency medical services personnel witnessing a revocation may act upon the revocation and must

communicate the revocation to the attending physician at the earliest opportunity."

11. Page 3, line 5.

Following: "physician"

Insert: ", emergency medical services personnel,"

12. Page 4, line 2.

Following: "physician"

Insert: "or who on receipt of reliable documentation follow a living will protocol"

13. Page 4, line 3.

Following: line 2

Insert: "(d) emergency medical services personnel who after a good faith attempt to do so are unable to find reliable documentation of a declaration and proceed to provide life-sustaining treatment to a qualified patient; and"

Renumber: subsequent subsection

14. Page 4, line 8.

Following: line 7

Insert: "NEW SECTION. Section 4. Authority to adopt rules. The department may adopt rules to implement this chapter.

NEW SECTION. Section 5. Codification instruction. [Section 4] is intended to be codified as an integral part of Title 50, chapter 9, and the provisions of Title 50, chapter 9, apply to [section 4]."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 495, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "OR ACCEPTANCE"

2. Page 1, lines 17 and 21.

Following: "knowingly"

Insert: "consumes or"

3. Page 1, line 22.

Following: "offense"

Insert: "if he consumes or gains possession of the beverage because it was lawfully supplied to him under 16-6-305 or"

4. Page 1, line 24.

Following: "not be"

Insert: "consuming or"

5. Page 2, lines 1 through 5.

Strike: "It is" on line 1 through end of line 5

And, as amended, do pass. Report adopted.

HB 558, do pass. Report adopted.

HB 568, introduced bill, be amended as follows:

1. Title, line 15.

Following: "RULES;"

Strike: "AND"

2. Title, line 17.

Following: "MCA"

Insert: "; AMENDING SECTION 16, CHAPTER 475, LAWS OF 1987; AND PROVIDING AN EFFECTIVE DATE"

3. Page 23, line 6.

Following: "of"

Strike: "the"

Insert: "a written"

4. Page 23, line 23.

Following: line 22

Insert: "Section 14. Section 16, Chapter 475, Laws of 1987, is amended to read:

"Section 16. Effective dates—termination date.

(1) Except as provided in subsections (2) and (3), sections 1 through 13 are effective October 1, 1987.

(2) The bracketed language in subsection (5) of section {1} is effective July 1, ~~1989~~ 1991.

(3) The bracketed language in subsection (3) of section 9 terminates July 1, ~~1989~~ 1991."

Renumber: subsequent sections

5. Page 24.

Following: line 6

Insert: "NEW SECTION. Section 17. Effective date. [Sections 5 and 7 of this act] are effective July 1, 1991."

And, as amended, do pass. Report adopted.

HB 571, do pass. Report adopted.

HB 593, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "required to"

Insert: "pay for and"

2. Page 2, line 12.

Following: "23"

Insert: ", or in a specialized domestic violence intervention program"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 493, do not pass.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HJR 25: Hannah, Quilici, Ramirez, Lynch, McLane, Crippen, Keating, Harp, Stimatz, Bishop, Hager, and McDonough.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 12:00 noon, Thursday, February 16, 1989.

Motion carried.

House adjourned at 2:40 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FORTIETH LEGISLATIVE DAY

Helena, Montana
February 16, 1989

House Chambers
State Capitol

House convened at 12:10 p.m., Mr. Speaker in the Chair. Invocation by Representative J. Brown. Pledge of Allegiance to the Flag.

Roll call. All members present except Cody, Cohen, Stickney, Wallin, and Zook, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/16/89
Correctly printed: HB 234, HB 317, HB 356, HB 383, HB 393,
HB 422, HB 482, HB 495, HB 501, HB 543, HB 558, HB 568,
HB 571, HB 593, HB 596, HB 605, HB 610, HB 620, HB 662,
HB 667, HB 677.

Correctly engrossed: HB 310, HB 355, HB 425, HB 559, HB 636.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):
2/16/89

HB 477, introduced bill, be amended as follows:

1. Page 3.

Following: line 3

Insert: "NEW SECTION. Section 3. Coordination. If
House Bill No. 477 and House Bill No. 165 are both passed and
approved, the fee in lieu of tax provided for in [section 5] of
House Bill No. 165 is increased by \$1."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 650, introduced bill, be amended as follows:

1. Page 16, line 5.

Following: "18.75%"

Strike: "limitation"

Insert: "limitations"

Following: "of"

Strike: "subsection (1)"

Insert: "subsections (2) and (3)"

2. Page 16, line 9.

Following: "The"

Strike: "limitation"

Insert: "limitations"

Following: "of"

Strike: "subsection (1) does"

Insert: "subsections (1) through (3) do"

3. Page 16, line 12.

Following: "The"

Strike: "limitation"

Insert: "limitations"

Following: "of"

Strike: "subsection (1) does"

Insert: "subsections (1) through (3) do"

4. Page 16, line 20.

Following: "The"

Strike: "limitation"

Insert: "limitations"

Following: "of"

Strike: "subsection (1) does"

Insert: "subsections (1) through (3) do"

And, as amended, do pass. Report adopted.

HB 658, introduced bill, be amended as follows:

1. Page 13, line 1.

Strike: "commerce"

Insert: "agriculture"

2. Page 13, line 2.

Strike: "2-15-1801"

Insert: "2-15-3001"

And, as amended, do pass. Report adopted.

HJR 23, introduced bill, be amended as follows:

1. Page 4, line 19.

Following: "to"

Insert: "the President of the United States, the United States Secretary of the Interior,"

2. Page 4, line 20.

Following: "Agriculture,"

Insert: "the Director of the Bureau of Land Management,"

And, as amended, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):
2/15/89

HB 626, do pass. Report adopted.

Adverse Committee Report

HB 613, do not pass.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):
2/15/89

HB 514, do pass. Report adopted.

HB 569, do pass. Report adopted.

HB 646, do pass. Report adopted.

HB 665, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):
2/15/89

HB 606, introduced bill, be amended as follows:

1. Title, line 11.

Following: "45-5-622,"

Strike: ", 45-5-623,"

Insert: "through 45-5-624,"

2. Page 7, line 3.

Following: line 2

Insert: "Section 5. Section 45-5-624, MCA, is amended to read:

"45-5-624. Unlawful possession of an intoxicating substance — interference with sentence or court order.

(1) A person under the age of 18 years commits the offense of possession of an intoxicating substance if he knowingly has in his possession an intoxicating substance other than an alcoholic beverage. A

person under the age of 21 commits the offense of possession of an intoxicating substance if he knowingly has in his possession an alcoholic beverage, except as provided in 16-6-305 and except that he does not commit the offense when in the course of his employment it is necessary to possess alcoholic beverages.

(2) A person convicted of the offense of possession of an intoxicating substance shall:

(a) be fined not to exceed \$50;

(b) be ordered to complete and, if financially able, pay all costs of his participation in a community-based substance abuse information course;

(c) have his driver's license confiscated by the court for not more than 90 days and be ordered not to drive during that period if he was driving or otherwise in actual physical control of a motor vehicle when the offense occurred; or

(d) be sentenced to any combination of these penalties.

(3) A defendant who fails to comply with a sentence and is under 21 years of age and was under 18 years of age when he failed to comply must be transferred to the youth court. If proceedings for violation of subsection (1) are held in the youth court, the penalties in subsection (2) do not apply. If proceedings for violation of subsection (1) or for failure to comply with a sentence are held in the youth court, the offender shall be treated as an alleged youth in need of supervision as defined in 41-5-103. In such case, the youth court may enter its judgment under 41-5-523.

(4) A person commits the offense of interference with a sentence or court order if he purposely or knowingly causes his child or ward to fail to comply with a sentence imposed under this section or a youth court disposition order for a youth found to have violated this section and upon conviction shall be fined \$100 or imprisoned in the county jail for 10 days, or both.””

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/15/89

HB 399, introduced bill, be amended as follows:

1. Page 10.

Following: line 3

Insert: “(3) (a) If the department approves an application for a trial change in appropriation right under subsection (2):

(i) the appropriator shall allow access by the department throughout the trial period to the site where the change is being implemented;

(ii) the department shall inspect the site upon the request of any person holding a valid water right in the source of supply; and

(iii) any water user may, throughout the trial period, petition the department to terminate the trial change and deny the application for a change in appropriation right because water users are experiencing actual adverse effects of the trial change. The department shall investigate the allegations contained in a petition and, if it determines that there are adverse effects, the trial period must be

terminated and the application for change in appropriation right must be denied unless the applicant can establish by clear and convincing evidence that the adverse effects are caused by unique climatological events or other unforeseen circumstances that will not recur throughout the remainder of the trial period.

(b) If the application for change in appropriation right is denied during or after the trial period, the department shall require the appropriator to remove the diversion structures or facilities that implemented the trial change."

Renumber: subsequent subsections

2. Page 10, line 4.

Strike: "(4)"

Insert: "(5)"

3. Page 10, line 5.

Strike: "(6)"

Insert: "(7)"

4. Page 10, line 25.

Strike: "(3)"

Insert: "(4)"

5. Page 12, line 2.

Strike: "(3)"

Insert: "(4)"

Strike: "(4)"

Insert: "(5)"

6. Page 13, line 1.

Strike: "(3)"

Insert: "(4)"

Strike: "(4)"

Insert: "(5)"

7. Page 13, line 9.

Strike: "(6)(b)(ii)"

Insert: "(7)(b)(ii)"

8. Page 13, line 10.

Strike: "(6)(b)(iii)"

Insert: "(7)(b)(iii)"

9. Page 15, line 24.

Strike: "is"

Insert: "are"

And, as amended, do pass. Report adopted.

HB 601, introduced bill, be amended as follows:

1. Page 9, line 1.

Strike: "fund"

Insert: "loan"

And, as amended, do pass. Report adopted.

HB 609, introduced bill, be amended as follows:

1. Title, line 12.

Strike: "15-5-635"

Insert: "75-5-635"

2. Page 2, lines 10 and 11.

Following: "17-2-102"

Strike: "," on line 10 through "department" on line 11

3. Page 2, line 16.

Following: "account"

Insert: "in the amounts provided for in 75-5-634"

4. Page 4, lines 2 and 3.

Strike: "Fines" on line 2

Insert: "Disposition of fines"

Following: "penalties" on line 2

Strike: "to" on line 2 through "Fines" on line 3

Insert: ". (1) Except as provided in subsection (2), fines"

5. Page 4.

Following: line 6

Insert: "(2) (a) No more than \$10,000 in fines and civil penalties may be deposited in the water quality rehabilitation account in any fiscal year. Fines and civil penalties in excess of the \$10,000 limit must be deposited in the general fund.

(b) Whenever the amount of money in the water quality rehabilitation account exceeds \$50,000, all fines and civil penalties must be deposited in the general fund."

And, as amended, do pass. Report adopted.

HB 657, introduced bill, be amended as follows:

1. Page 2, lines 14 and 15.

Strike: "in" on line 14 through "fire" on line 15

2. Page 2, lines 21 through 23.

Strike: "operators" on line 21 through "planned" on line 23

Insert: "persons engaged in continuing cutting operations of sufficient number and size to warrant covering these operations under a single agreement and a single bond"

3. Page 6, line 7.

Following: "constructing"

Strike: ","

Insert: "or"

4. Page 6, line 8.

Following: "reconstructing"

Strike: ", or improving"

5. Page 7, lines 2 through 5.

Strike: "In" on line 2 through "." on line 5

And, as amended, do pass. Report adopted.

HJR 25, introduced bill, be amended as follows:

1. Page 3, line 15.

Strike: "Selegation"

Insert: "Delegation"

And, as amended, do pass. Report adopted.

HB 442, do not pass.**SB 117**, be not concurred in.

2/16/89

ADVERSE COMMITTEE REPORTS**HB 161** - Representative Harrington moved the 2/14/89 adverse committee report on **HB 161** be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Clark, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stepler, Strizich, Thoft, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 74

Noes: Campbell, Giacometto, Gilbert, Hannah, Hanson, Hayne, R. Nelson, Patterson, Peterson, Rehberg, Simon, Simpkins, Spring, Swift, Swysgood, Thomas.

Total 16

Excused: Cody, Cohen, Stickney, Wallin, Zook.

Total 5

Absent or not voting: J. Brown, Cobb, Good, McCormick, T. Nelson.

Total 5

HB 493 - Representative D. Brown moved consideration of the 2/15/89 adverse committee report on **HB 493** be passed for the day. Motion carried.

Representative Wallin present at this time.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/15/89

HB 160, introduced by Stepler**HB 170**, introduced by Hayne

Senate bills passed and transmitted to the House for concurrence: 2/15/89

SB 15, introduced by Halligan**SB 241**, introduced by Mazurek**SB 255**, introduced by Aklestad**SB 312**, introduced by Pinsoneault, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed by the Senate and is returned to the House with the following vote:

YEAS - 27

NAYS - 23

MESSAGES FROM THE GOVERNOR

John Vincent

February 15, 1989

Speaker of the House

Montana House of Representatives

State Capitol

Helena, Montana 59620

Dear Representative Vincent:

Please be informed that I have signed House Bills 8, 23, 24, 53, 55, 59, 82, 83, 115 and 145 on February 15, 1989.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 716, introduced by Thomas, Severson, Farrell, Thoft, D. Brown, Mazurek, Swift, Crippen, B. Brown, Mercer, Pavlovich, referred to Committee on Judiciary

HB 717, introduced by Grinde, Devlin, Weeding, Abrams, Mazurek, Spaeth, Williams, Cobb, Swysgood, Driscoll, Guthrie, Mercer, Simpkins, Good, Jenkins, Campbell, Yellowtail, Iverson, DeMars, Schye, Gilbert, Patterson, Hannah, Bachini, Peck, Marks, referred to Committee on Appropriations

HB 718, introduced by Menahan, Pavlovich, Daily, Blotkamp, Harrington, Johnson, Squires, D. Brown, referred to Committee on Appropriations

HB 719, introduced by Menahan, Cocchiarella, Ream, Blotkamp, Driscoll, referred to Committee on Labor and Employment Relations

HB 720, introduced by Giacometto, Grady, Devlin, referred to Committee on Fish and Game

HB 721, introduced by Hannah, referred to Committee on Natural Resources

HB 722, introduced by Cobb, referred to Committee on Appropriations

HB 723, introduced by Cobb (by request of the Department of Social and Rehabilitation Services), referred to Committee on Appropriations

HB 724, introduced by Cohen, Yellowtail, Russell, O'Keefe, Harper, referred to Committee on State Administration

HB 725, introduced by Ramirez, Gage, referred to Committee on Taxation

HB 726, introduced by Marks, referred to Committee on Local Government

HB 727, introduced by Marks, referred to Committee on Natural Resources

HB 728, introduced by O'Keefe, Blaylock, referred to Committee on Natural Resources

HB 729, introduced by Hannah, Spaeth, referred to Committee on Legislative Administration

HB 730, introduced by Spaeth, Quilici, Vaughn, referred to Committee on State Administration

HB 731, introduced by Simon, referred to Committee on Appropriations

HB 732, introduced by Simon, referred to Committee on Human Services and Aging

HB 733, introduced by Brooke, Strizich, Nathe, D. Brown, referred to Committee on Business and Economic Development

HB 734, introduced by Thomas, J. Brown, Williams, Thayer, referred to Committee on Business and Economic Development

HJR 28, introduced by Stickney, Vincent, Addy, Kimberley, Connelly, Regan, Kilpatrick, Russell, Darko, Harper, McDonough, Strizich, Wyatt, Cody, Eck, Johnson, Gervais, J. Brown, Squires, L. Nelson, Spaeth, Brooke, Moore, Hansen, Blaylock, Yellowtail, Cohen, Bradley, Cocchiarella, Bengtson, Knapp, Schye, D. Brown, Bishop, Jergeson, Halligan, Jacobson, Eudaily, Rapp-Svrcek, Manning, referred to Committee on State Administration

HJR 29, introduced by Raney, Owens, O'Keefe, Clark, Harper, Brooke, McDonough, Gilbert, Addy, Smith, Moore, Roth, Giacometto, Kadas, Hannah, Vincent (by request of the Natural Resources Committee), referred to Committee on Natural Resources

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 20 passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Simon, Squires, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 55

Noes: Bachini, Bardanouve, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Good, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, Moore, R. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Rice, Roth, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 45

Paired: Cody, Cohen, Stickney, Ayes; Rice, Simpkins, Zook, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 190 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell, DeMars, Swysgood, Thoft, Westlake.

Total 5

Excused: Cody, Cohen.

Total 2

Absent or not voting: Hansen, T. Nelson.

Total 2

HB 232 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Clark, Hannah, Hoffman.

Total 3

Excused: Cody, Cohen.

Total 2

Absent or not voting: Giacometto.

Total 1

HB 253 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Kasten.

Total 1

Excused: Cody, Cohen.

Total 2

Absent or not voting: None.

Total 0

HB 313 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen,

Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Whalen.

Total 1

Paired: Cohen, Aye; Whalen, No.

Excused: Cody.

Total 1

Absent or not voting: None.

Total 0

HB 332 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cody, Cohen.

Total 2

Absent or not voting: Bardanouve, Knapp, Quilici.

Total 3

HB 336 passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Grady, Hansen, Hanson, Harper, Harrington, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rice, Russell, Schye, Simon, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 69

Noes: Aafedt, Bachini, Boharski, Campbell, Clark, DeBruycker, Ellison, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hannah, Hayne, Hoffman, Lee, R. Nelson, T. Nelson, Owens, Peterson, Ramirez, Rehberg, Roth, Simpkins, Smith, Spaeth, Spring, Swift.
Total 29

Excused: Cody, Cohen.
Total 2

Absent or not voting: None.
Total 0

HB 381 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Gilbert.
Total 1

Excused: Cody, Cohen.
Total 2

Absent or not voting: None.
Total 0

HB 449 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Gilbert.
Total 1

Excused: Cody, Cohen.
Total 2

Absent or not voting: None.

Total 0

HB 450 passed as follows:

Ayes: Aafedt, Addy, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, McDonough, Menahan, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook.

Total 70

Noes: Bachini, Bardanouve, Blotkamp, Bradley, Brooke, Cocchiarella, Cohen, Connelly, Davis, Gervais, Gould, Hansen, Harper, Kadas, Kilpatrick, McCormick, Moore, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, Squires, Steppler, Strizich, Mr. Speaker.

Total 27

Paired: Giacometto, Aye; Cohen, No.

Excused: Cody.

Total 1

Absent or not voting: Grady, Marks.

Total 2

HB 491 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Hannah, Hayne, Peterson, Stang, Swift.

Total 6

Excused: Cody, Cohen.

Total 2

Absent or not voting: None.

Total 0

HB 519 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick,

McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: DeBruycker, Giacometto, Gilbert, Grinde, Guthrie, Hannah, R. Nelson, Rehberg, Roth, Steppler, Swysgood, Wallin.
Total 12

Excused: Cody, Cohen.
Total 2

Absent or not voting: None.
Total 0

HB 527 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Stang, Whalen.
Total 2

Excused: Cody, Cohen.
Total 2

Absent or not voting: Marks.
Total 1

HB 584 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Campbell, Ellison, Grinde, Peterson, Spaeth, Steppler, Swift, Swysgood, Thoft.

Total 9

Excused: Cody, Cohen.

Total 2

Absent or not voting: None.

Total 0

HJR 12 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 83

Noes: Boharski, Campbell, Clark, DeBruycker, Ellison, Giacometto, Gilbert, Good, Gould, Guthrie, Hayne, Smith, Swysgood, Thoft, Zook.

Total 15

Excused: Cody, Cohen.

Total 2

Absent or not voting: None.

Total 0

HJR 22 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Lee, Roth, Spring.

Total 3

Excused: Cody, Cohen.

Total 2

Absent or not voting: Hansen, Marks.

Total 2

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 301 - Representative Peck moved HB 301, second reading copy, be amended as follows:

1. Page 2.

Following: line 18

Insert: "Montana college of
mineral science and

technology 1989 48,330 General Fund"

The legislative fiscal analyst will correct appropriate totals.

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Cody, Cohen.

Total 2

Absent or not voting: J. Brown, Connelly, Hannah, Marks, Nisbet, Pavlovich.

Total 6

Representative D. Brown excused at this time.

Representative Cody present at this time.

Representative Bardanouve moved HB 301, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rice, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 69

Noes: Aafedt, Boharski, Campbell, Cobb, Darko, DeBruycker, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Kasten, Lee, O'Keefe, Owens, Patterson, Phillips, Rehberg, Roth, Simon, Simpkins, Swift, Swysgood, Thoft, Thomas, Zook.

Total 29

Excused: D. Brown, Cohen.
Total 2

Absent or not voting: None.
Total 0

HB 324 - Representative Davis moved HB 324 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: D. Brown, Cohen.
Total 2

Absent or not voting: Menahan.
Total 1

Representatives Darko, Hannah, Roth, Spaeth, Stang, and Wallin excused at this time.

HB 358 - Representative Elliott moved HB 358 do pass. Motion failed as follows:

Ayes: Addy, Bardanouve, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Moore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Squires, Stang, Steppler, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.
Total 47

Noes: Aafedt, Bachini, Blotkamp, Boharski, Campbell, Compton, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hayne, Hoffman, Iverson, Kasten, Keller, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Westlake, Zook.
Total 51

Paired: D. Brown, Cohen, Darko, Raney, Schye, Stang, Ayes; Ellison, Giacometto, Hannah, Hayne, Kasten, Roth, Noes.

Excused: Spaeth, Wallin.
Total 2

Absent or not voting: None.

Total 0

HB 364 - Representative R. Nelson moved HB 364 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Cody, Kilpatrick.

Total 2

Excused: D. Brown, Cohen, Darko, Hannah, Roth, Spaeth, Stang, Wallin.

Total 8

Absent or not voting: Bradley, Grady.

Total 2

Representative R. Nelson excused at this time.

Representatives Hannah and Stang present at this time.

HB 413 - Representative Westlake moved HB 413 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Cobb, Peterson.

Total 2

Excused: D. Brown, Cohen, Darko, R. Nelson, Roth, Spaeth, Wallin.

Total 7

Absent or not voting: Hansen, Menahan.

Total 2

Representatives Darko and Wallin present at this time.

HB 446 - Representative Daily moved HB 446 do pass.

Representative Daily made a substitute motion HB 446 be placed below HB 483. Motion carried.

HB 458 - Representative Connelly moved HB 458, second reading copy, be amended.

Representative Connelly withdrew her amendment.

Representative Roth present at this time.

Representative Mercer moved HB 458, second reading copy, be amended as follows:

1. Page 2, line 5.

Following: "baby."

Strike: "Parents"

Insert: "Except as otherwise provided by law, parents"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: D. Brown, Cohen, R. Nelson, Spaeth.

Total 4

Absent or not voting: Gervais, Kasten, McCormick, Patterson, Strizich, Thomas, Whalen.

Total 7

Representative Peck moved HB 458, as amended, do pass.

Representatives Schye and Thomas excused at this time.

Representative Spaeth present at this time.

Representative Connelly made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Connelly moved HB 458, second reading copy, be amended as follows:

1. Page 1, line 21.

Following: "OF"

Strike: "PRACTICE AT"

Insert: "EDUCATION AND EXPERIENCE TO PRACTICE AS A MIDWIFE AND TO PRESENT THOSE STANDARDS TO"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton,

Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Whalen.

Total 1

Excused: D. Brown, Gervais.

Total 2

Absent or not voting: Cohen, Grady, R. Nelson, Schye, Thomas.

Total 5

Representatives D. Brown and R. Nelson present at this time.

Representative Marks made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Marks moved HB 458, second reading copy, be amended. Amendment failed. (25-67)

Representative Marks moved HB 458, second reading copy, be amended. Amendment failed. (33-59)

Representative Boharski made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Boharski moved HB 458, second reading copy, be amended. Amendment failed. (22-70)

Thereupon, HB 458, as amended, passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Grady, Guthrie, Hannah, Hansen, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Raney, Ream, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 74

Noes: Aafedt, Bachini, Boharski, Bradley, Cody, Connelly, Daily, Gilbert, Good, Gould, Grinde, Hanson, Harper, Kasten, Kilpatrick, Marks, O'Connell, Pavlovich, Quilici, Ramirez, Rehberg, Rice, Schye, Stickney, Wyatt.

Total 25

Paired: Cohen, Gervais, Hannah, Thomas, Ayes; Cody, Quilici, Schye, Stickney, Noes.

Excused: None.

Total 0

Absent or not voting: Compton.

Total 1

HB 464 - Representative Bradley moved HB 464, second reading copy, be amended as follows:

1. Page 2, line 13.

Following: “,”

Strike: “and”

2. Page 2, line 19.

Strike: “COST OF DOING BUSINESS AS DEFINED IN 30-14-202”

Insert: “any federal or state excise taxes imposed on the motor fuel”

3. Page 3, line 3.

Strike: “current”

Insert: “most recent”

4. Page 3, line 8.

Following: “,”

Strike: “and”

5. Page 3, line 14.

Strike: “COST OF DOING BUSINESS AS DEFINED IN 30-14-202”

Insert: “any federal or state excise taxes imposed on the motor fuel prior to the sale at retail”

6. Page 7, line 2.

Strike: “8%”

Insert: “9%”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O’Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Cohen, Gervais, Schye, Thomas.

Total 4

Absent or not voting: Cobb, Grady, Kadas, Menahan, O’Connell, Swysgood.

Total 6

Representative Bradley moved HB 464, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker,

DeMars, Driscoll, Elliott, Glaser, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 61

Noes: Aafedt, Bachini, Campbell, Clark, Cobb, Compton, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Smith, Swift, Swysgood, Thoft, Westlake, Zook.

Total 35

Paired: Cohen, Schye, Ayes; Giacometto, Thoft, Noes.

Excused: Gervais, Thomas.

Total 2

Absent or not voting: Cody, Hannah.

Total 2

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (91-3)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/16/89

Correctly printed: HB 399, HB 477, HB 514, HB 569, HB 601, HB 609, HB 626, HB 646, HB 657, HB 658, HB 665, HJR 23, HJR 25.

SPECIAL ORDERS OF THE DAY

The following sponsor was removed from HB 670: Addy.

The following sponsors were added to HB 682: McCormick and Russell.

The following sponsor was added to HJR 23: Marks.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Schye present at this time.

Representative Harper moved the House recess until 5:15 p.m., Friday, February 16, 1989.

Motion carried.

House recessed at 3:22 p.m.

House reconvened at 5:25 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Bardanouve, Chairman):

2/15/89

HB 452, do pass. Report adopted.

HB 453, do pass. Report adopted.

HJR 21, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):
2/16/89

HB 437, do pass. Report adopted.

HB 438, introduced bill, be amended as follows:

1. Page 2, line 2.

Following: line 1

Insert: "(4) This section does not preclude a hospital from limiting membership or privileges based on education, training, or other relevant criteria."

And, as amended, do pass. Report adopted.

HB 576, introduced bill, be amended as follows:

1. Title, line 6.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 1, line 22.

Strike: "if it meets"

Insert: "without meeting"

3. Page 1, lines 23 and 24.

Following: "23-5-609" on line 23

Strike: remainder of line 23 and through "and" on line 24

Following: "if"

Insert: ":

(a) it meets the requirements of 23-5-607 and 23-5-608;

(b) it has mechanical meters described in 23-5-609(4)(k) and electronic meters described in 23-5-609(4)(l); and

(c)"

4. Page 2, line 2.

Strike: "owned or operated in the state"

Insert: "licensed by the department"

Strike: "June 30, 1987"

Insert: "January 1, 1989"

5. Page 2, lines 4 through 7.

Following: "~~1989~~."

Strike: remainder of line 4 and lines 5 through 7 in their entirety

6. Page 2, line 12.

Following: "date"

Insert: "— termination"

7. Page 2, line 13.

Following: "1989"

Insert: ", and terminates December 31, 1990"

And, as amended, do pass. Report adopted.

HB 645, introduced bill, be amended as follows:

1. Title, line 4.

Following: "ACT"

Strike: remainder of lines 4 and 5 in their entirety

2. Title, line 10.

Strike: "SECTIONS 31-1-401 AND"
Insert: "SECTION"

3. Page 1, line 14 through page 2, line 16.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 3, lines 10 and 12.
Strike: "3"
Insert: "2"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Hansen, Chairman):
HB 225, introduced bill, be amended as follows:

2/16/89

1. Title, line 6.
Following: "THROUGH"
Insert: "PREFERRED PROVIDER"

2. Title, line 7.
Following: "PLANS;"
Insert: "amending section 33-22-1706, MCA;"

3. Page 1, line 10 through page 2, line 12.
Strike: section 1 in its entirety
Insert: "Section 1. Section 33-22-1706, MCA, is amended to read:

"33-22-1706. Permissible provisions in provider agreements, insurance policies, and subscriber contracts. (1) A provider agreement, insurance policy, or subscriber contract issued or delivered in this state may contain certain other components designed to control the cost and improve the quality of health care for insureds and subscribers, including:

(a) a provision setting a payment difference for reimbursement of a nonpreferred provider as compared to a preferred provider. If the health benefit plan contains a payment difference provision, the payment difference may not exceed 25% of the reimbursement level at which a preferred provider would be reimbursed. The commissioner shall review differences between copayments, deductibles, and other cost-sharing arrangements.

(b) conditions, not inconsistent with other provisions of this part, designed to give policyholders or subscribers an incentive to choose a particular provider.

(2) All terms or conditions of an insurance policy or subscriber contract, except those already approved by the commissioner, are subject to the prior approval of the commissioner.

(3) A plan offering prepaid dental services under this part must offer its insureds the right to obtain dental care from any licensed dental care provider of their choice at a payment differential no greater than that permitted under subsection (1)(a)."

4. Page 2, lines 13 and 14.
Strike: "Freedom of choice of dentists"
Insert: "Dentist participation as provider"

5. Page 2, line 14.
Strike: "(1)"

Following: "for"

Strike: "group health insurance or"

Insert: "dental care services through a"

6. Page 2, line 15.

Following: "maintenance"

Insert: "organization"

7. Page 2, lines 16 through 23.

Following: "under"

Strike: remainder of line 16 through "must:" on line 23

Insert: "this chapter must"

8. Page 2, line 24.

Strike: "(a)"

9. Page 3, lines 2 through 5.

Strike: "a period" on line 2 through "of the" on line 5

Insert: "each"

10. Page 3, line 6.

Strike: "an"

Insert: "at least one"

Strike: "thereafter, of at least 30 days,"

11. Page 3, lines 8 through 15.

Strike: subsections (b) and (c) in their entirety

12. Page 3, line 23 through page 4, line 2.

Strike: "(1)" on line 23 through "(2)" on page 4, line 2

13. Page 4, line 3.

Strike: "15, part 3"

Insert: "31"

14. Page 4, line 4.

Strike: "15, part 3"

Insert: "31"

And, as amended, do pass. Report adopted.

HB 377, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "NOTIFY"

Insert: "POST A NOTICE INFORMING"

2. Page 1, line 11.

Strike: "notify"

Insert: "give notice to"

3. Page 1, lines 20 through 22.

Following: "(2)" on line 20

Strike: remainder of line 20 through "patient." on line 22

Following: "notice" on line 22

Insert: "required under subsection (1)"

4. Page 1, line 23.

Strike: "also"

And, as amended, do pass. Report adopted.

HB 524, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "PREVENTIVE"

2. Page 1, line 20.

Strike: "preventive"

And, as amended, do pass. Report adopted.

HB 529, introduced bill, be amended as follows:

1. Page 2, line 2.

Following: "which"

Insert: "Job Training Partnership Act"

2. Page 2, line 6.

Following: "program"

Insert: ", using random, representative, statistically valid sampling techniques,"

3. Page 3, line 5.

Following: "that"

Strike: "each person was"

Insert: "persons were"

4. Page 3, line 6.

Following: "placement"

Insert: ", as defined in federal performance standards"

5. Page 3, line 17.

Following: "program"

Insert: ", as calculated by the department of social and rehabilitation services using data provided by the department of labor and industry"

6. Page 4, line 25.

Following: "by"

Strike: "combining and"

7. Page 5, line 9.

Strike: "performance-based"

Insert: "based on performance"

8. Page 9, line 17.

Following: "and"

Insert: "therefore"

9. Page 9, line 20.

Strike: "Pursuant to the declaration of"

Insert: "The state job training coordinating council shall identify, in coordination with the appropriate state and local agencies, the employment, training, and vocational education needs throughout the state and assess the extent to which employment and training, vocational education, rehabilitation services, public assistance, economic development, and other federal, state, and local programs and services represent a consistent, integrated, and coordinated approach to meeting such needs. In carrying out this coordinating function, the council shall consider"

10. Page 9, line 24 through page 10, line 2.

Following: "and" on line 24

Strike: remainder of line 24 through "with" on line 2

11. Page 10, line 2.

Following: "programs"

Insert: ", "

And, as amended, do pass. Report adopted.

HB 541, do pass. Report adopted.

HB 614, introduced bill, be amended as follows:

1. Title, line 15.

Following: "PROGRAM;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;
AMENDING SECTION 17-7-502, MCA;"

2. Page 2, line 14.

Strike: "department annually adopt rules setting the"

Insert: "program be self-supporting and be funded by a 10-cent monthly"

3. Page 2, lines 15 through 19.

Following: "[section 12]." on line 15

Strike: remainder of line 15 through 19

4. Page 4, line 25.

Following: "deaf,"

Strike: "hearing-impaired"

Insert: "hard-of-hearing"

5. Page 6, line 2.

Following: "or"

Strike: "hearing-impaired"

Insert: "hard-of-hearing"

6. Page 7, line 23.

Following: "program;"

Insert: "and"

7. Page 7, lines 24 through 25.

Strike: subsection (4) in its entirety

Re-number: subsequent subsection

8. Page 11, line 2.

Strike: "a fund"

Insert: "an account"

9. Page 11, line 4.

Following: "The"

Strike: "fund"

Insert: "account"

10. Page 11, line 10.

Strike: "fund"

Insert: "account is statutorily appropriated, as provided in 17-7-502,
and"

11. Page 11, line 14.

Strike: "fund"

Insert: "account"

12. Page 11, lines 15 through 19.

Following: "(1)" on line 15

Strike: remainder of line 15 through "The" on line 19

Insert: "A"

Following: "charge" on line 19

Strike: "may not exceed"

Insert: "of"

Following: "month"

Insert: "may be assessed"

13. Page 11, line 21.

Following: "company"

Insert: "and is imposed for the purposes of [this act]"

14. Page 11, line 22 through page 12, line 5.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

15. Page 12, line 15.

Strike: "(5)"

Insert: "(4)"

16. Page 12, line 25.

Strike: "(4)"

Insert: "(3)"

17. Page 13, following line 10.

Insert: "Section 14. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-25-123; 15-31-702; 15-36-112; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-4-109; 20-6-406; 20-8-111; 23-5-610; 23-5-1027; 33-31-212; 33-31-401; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; section 11; 67-3-205; 75-1-1101; 75-7-305; 76-12-123; 80-2-103; 80-2-228; 82-11-136; 90-3-301; 90-3-302; 90-3-412; 90-4-215; 90-9-306; 90-15-103; section 13, House Bill No. 861, Laws of 1985; and section 1, Chapter 454, Laws of 1987.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the

principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3): pursuant to sec. 15, Ch. 607, L. 1987, the inclusion of 15-65-121 terminates June 30, 1989; pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991; and pursuant to sec. 6, Ch. 454, L. 1987, the inclusion of sec. 1, Ch. 454, L. 1987, terminates July 1, 1988.)”

Renumber: subsequent sections

18. Page 13, lines 12 through 16.

Strike: line 12 through “(2)” on line 16

And, as amended, do pass. Report adopted.

HB 631, do pass. Report adopted.

HB 653, do pass. Report adopted.

HB 654, do pass. Report adopted.

HB 661, introduced bill, be amended as follows:

1. Page 5, line 12.

Following: “[

Insert: “House”

Following: “No.”

Insert: “668”

2. Page 12, line 12.

Following: line 11

Insert: “House”

Following: “No.”

Insert: “668”

3. Page 12.

Following: “50-18-109”

Insert: “If this phrase is not void and is reinserted, the term “venereal” is stricken and the term “sexually transmitted” is inserted.”

And, as amended, do pass. Report adopted.

HB 663, do pass. Report adopted.

HB 682, introduced bill, be amended as follows:

1. Page 2, line 1.

Strike: “authority”

Insert: “unit or project”

2. Page 2, line 24.

Strike: “authority”

Insert: “unit or project”

3. Page 6, line 6.

Strike: “authority”

Insert: “unit or project”

4. Page 6, line 10.

Strike: “authority”

Insert: “unit or project”

5. Page 6, line 20.

Following: “alternate”

Insert: “or an interim tenant appointee selected by the commission”

And, as amended, do pass. Report adopted.

HJR 24, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

2/16/89

HB 544, do pass. Report adopted.

HB 578, introduced bill, be amended as follows:

1. Page 4, line 3 and page 6, line 22.

Following: page 4, line 2 and page 6, line 21

Insert: "(viii) domestic abuse of the type described in 45-5-206(1)(a);"

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 594, do pass. Report adopted.

HB 598, do pass. Report adopted.

HB 642, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/16/89

HB 373, introduced bill, be amended as follows:

1. Title, line 4.

Following: "REVISE"

Insert: "THE DAILY EXPENSE PAYMENT FOR LEGISLATORS
AND"

2. Title, line 7.

Following: ".,"

Insert: "PROVIDING FOR COORDINATION WITH CHAPTER 1,
LAWS OF 1989;"

3. Page 1, line 22.

Strike: "\$50" through "day"

Insert: "a daily expense allowance equal to the maximum amount
allowable as a deduction under 26 U.S.C. 162(h)(1)(A)(i), as
amended"

4. Page 2, line 10.

Strike: "six"

Insert: "five"

5. Page 2.

Following: line 16

Insert: "NEW SECTION. Section 2. Coordination instruction. If
[this act] is passed and approved, section 5-2-301(7) as amended by
Chapter 1, Laws of 1989, is amended to read:

"(7) In lieu of the salary provided for in subsection (1) and the
expense allowance provided for in subsection (3), a legislator may
receive remuneration for services performed during a legislative
session. A legislator choosing to receive remuneration for services
performed shall file a request to receive payment under this subsec-
tion with the accounting office of the legislative council. A legislator
exercising the option to receive remuneration for services performed
may not receive more remuneration than legislators paid pursuant to
subsections (1) and (3). Remuneration for services performed must
be reduced by ~~\$50-a~~ the amount to which a legislator is entitled as
reimbursement for expenses under subsection (3) for each day when
the legislature recesses for more than 3 days."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 604, do pass. Report adopted.

HB 691, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 735, introduced by Ramirez, Nathe, referred to Committee on Appropriations

HB 736, introduced by Gould, Harp, Rehberg, referred to Committee on Business and Economic Development

HB 737, introduced by Ramirez, referred to Committee on Taxation

HB 738, introduced by Roth, Marks, Steppler, Spaeth, Grady, referred to Committee on Human Services and Aging

HB 739, introduced by Boharski, referred to Committee on Appropriations

MOTIONS

Representative Stickney moved the rules be suspended to permit the late introduction of a House Joint Resolution. Motion carried.

Representative Stickney moved the rules be suspended to permit the late introduction of a second House Joint Resolution. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 2:00 p.m., Friday, February 17, 1989.

Motion carried.

House adjourned at 5:36 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FORTY-FIRST LEGISLATIVE DAY

Helena, Montana
 February 17, 1989

House Chambers
 State Capitol

House convened at 2:00 p.m., Mr. Speaker in the Chair. Invocation by Representative Roth. Pledge of Allegiance to the Flag.

Roll call. All members present except Cohen, Gervais, Giacometto, and Gilbert, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/17/89

Correctly printed: HB 225, HB 373, HB 377, HB 437, HB 438, HB 524, HB 529, HB 541, HB 544, HB 576, HB 578, HB 594, HB 598, HB 604, HB 606, HB 614, HB 631, HB 642, HB 645, HB 650, HB 653, HB 654, HB 661, HB 663, HB 682, HB 691, HJR 21, HJR 24.

Correctly engrossed: HB 301, HB 324, HB 364, HB 413, HB 458, HB 464.

FISH AND GAME (Ream, Chairman):

2/17/89

HB 283, introduced bill, be amended as follows:

1. Page 1, line 9.

Insert:

"STATEMENT OF INTENT

A statement of intent is required for this bill because [section 8] grants rulemaking authority to the department of livestock to regulate the humane treatment of mink and fox. In developing rules, it is intended that the department address facility and operating standards, feeding, sanitation, health, and euthanasia according to current guidelines promulgated by the fur farm animal welfare coalition."

2. Page 1, line 13.

Strike: "killing"

Insert: "harvesting"

3. Page 1, line 23.

Strike: "mink, fox,"

4. Page 1, line 24.

Following: "purposes."

Insert: "The term does not include mink or fox."

5. Page 2, lines 17 through 19.

Following: "(3)" on line 17

Strike: the remainder of line 17 through "containers" on line 19

Insert: "Feeding areas"

6. Page 2, line 23.

Following: "animals"

Insert: "at all times"

7. Page 2, line 24.

Strike: "and be kept open in winter"

8. Page 3, lines 8 through 11.

Following: "(1)"

Strike: the remainder of line 8 through "species." on line 11

Insert: "The department shall regulate the vaccination of fur farm animals according to the most current standards adopted by the American veterinary medical association."

9. Page 3, line 25.

Following: line 24

Insert: "(a) electrocution;"

Renumber: subsequent subsections

10. Page 4, line 12.

Following: line 11

Insert: "NEW SECTION. Section 8. Humane treatment of mink and fox — standards. The department shall regulate facility and operating standards, feeding, sanitation, health, and euthanasia relating to mink and fox farms according to the most current guidelines promulgated by the fur farm animal welfare coalition."

Renumber: subsequent sections

11. Page 6, line 9.

Following: "instruction."

Insert: "(1)"

12. Page 6, line 14.

Following: line 13

Insert: "(2) [Section 8] is intended to be codified as an integral part of Title 81, and the provisions of Title 81 apply to [section 8]."

And, as amended, do pass. Report adopted.

HB 447, introduced bill, be amended as follows:

1. Page 1, line 24.

Strike: "750"

Insert: "400"

2. Page 2, lines 8 through 22.

Following: "area" on line 8

Strike: the remainder of line 8 through "feet" on line 22

Insert: "must be approved by the state fire marshal"

3. Page 2, line 23.

Strike: "500,000"

Insert: "250,000"

And, as amended, do pass. Report adopted.

HB 655, introduced bill, be amended as follows:

1. Title, line 8.

Following: "USE;"

Insert: "PROVIDING FOR PROTECTION OF LANDOWNER PROPERTY RIGHTS AND WATER RIGHTS;"

2. Page 1, line 18.

Following: "recreational"

Insert: "and commercial"

3. Page 1, line 23.

Strike: "recreational"

4. Page 2, line 9.

Following: "recreational"

Insert: "and commercial"

5. Page 2, line 19.

Following: line 18

Insert: "(3) Nothing in [this act] may be construed in any way to restrict a landowner's access to or use of his land, improvements, water rights, or adjacent waterways."

6. Page 3, lines 14 and 15.

Following: "beauty"

Strike: ", "

Insert: "and"

Following: "solitude"

Strike: ", and wilderness experience of the river"

7. Page 3, line 25.

Following: "recreational"

Insert: "and commercial"

8. Page 4, line 2.

Following: "recreational"

Insert: "and commercial"

9. Page 4, line 14.

Strike: "access"

Insert: "recreational use"

Strike: "use"

Insert: "implementation"

10. Page 4, line 18.

Following: "recreational"

Insert: "and commercial"

11. Page 5, line 6.

Following: "recreational"

Insert: "and commercial"

12. Page 5, line 9.

Following: "recreational"

Insert: "and commercial"

And, as amended, do pass. Report adopted.

HB 720, introduced bill, be amended as follows:

1. Page 2, line 5.

Strike: "the county"

Insert: "affected local governments and the state"

2. Page 2, lines 7 and 8.

Following: "of" on line 7

Strike: "the county and school districts"

Insert: "taxing jurisdictions"

3. Page 2, line 9.

Strike: "the county"

Insert: "local governments"

4. Page 2, line 10.

Strike: "county"

Insert: "counties"

And, as amended, do pass. Report adopted.

HJR 26, introduced bill, be amended as follows:

1. Title, lines 5 through 12.

Following: "MONTANA"

Strike: the remainder of line 5 through line 12

Insert: "DIRECTING THE STATE FORESTER TO MANAGE STATE FOREST LANDS TO CONSERVE WILDLIFE AND FISH HABITATS FOR THE BEST INTERESTS OF THE PUBLIC SCHOOL TRUST FUND AND THE PEOPLE OF THE STATE OF MONTANA; AND DIRECTING THE STATE FORESTER AND THE DIRECTOR OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO WORK COOPERATIVELY TO DEVELOP AND IMPLEMENT STANDARDS AND GUIDELINES FOR MANAGING FISH AND WILDLIFE HABITATS ON STATE FOREST LANDS."

2. Page 1, line 14 through page 3, line 15.

Strike: everything following the title

Insert: "WHEREAS, the Department of State Lands is directed to manage state lands for the support of the public school trust fund and, pursuant to section 77-1-202, MCA, "for the attainment of other worthy objects helpful to the well-being of the people of this state"; and

WHEREAS, the Department of Fish, Wildlife, and Parks is directed under the laws of the State of Montana to provide for the protection, preservation, and management of wildlife and fish within the state; and

WHEREAS, both departments desire to work together for the common purpose of developing, maintaining, and managing all of the wildlife and fish resources on forest lands administered by the Department of State Lands for the best interests of the public school trust fund and the people of Montana; and

WHEREAS, Montana receives substantial economic benefits from hunting, outfitting, tourism, and other activity related to wildlife and fish, and these economic benefits, in the form of increased property values and tax base, provide considerable support to public education.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the State Forester manage state forest lands to conserve wildlife and fish habitats for the best interests of the public school trust fund and of the people of Montana to the extent permitted and required by federal and state laws and regulations and the principles of multiple-use management.

BE IT FURTHER RESOLVED, that the State Forester and the Director of the Department of Fish, Wildlife, and Parks work cooperatively to develop and implement standards and guidelines for managing fish and wildlife habitats on state forest lands."

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):
HB 245, introduced bill, be amended as follows:

2/17/89

1. Title, line 6.

Strike: "1991"

Insert: "1990; REQUIRING ISSUANCE OF NEW NUMBER PLATES IN 1994; PROVIDING A FEE FOR ISSUANCE OF NEW NUMBER PLATES; EXTENDING UNTIL JULY 1, 1996, THE VALIDITY OF COMMEMORATIVE CENTENNIAL LICENSE PLATES"

2. Title, line 7.

Following: "MCA"

Insert: ", AND SECTION 5, CHAPTER 674, LAWS OF 1985; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE"

3. Page 2, line 18.

Following: "shall"

Insert: ":

(a)"

4. Page 2, line 20.

Strike: "1991"

Insert: "1990"

5. Page 2, line 23.

Following: "date"

Insert: ", and

(b) subsequently create a new design for number plates as provided in this section, and it shall manufacture those plates for issuance after January 1, 1994, to replace, at renewal as required in 61-3-312 and 61-3-314, number plates that were displayed on motor vehicles under the provisions of subsection (3)(a)"

6. Page 8, line 2.

Following: line 1

Insert: "(6) A fee of \$2 for each set of new number plates must be collected when number plates provided for under 61-3-332(3) are issued. Revenue from this fee must be deposited as provided in subsection (5)."

Renumber: subsequent subsections

7. Page 8, line 8.

Following: "fees"

Insert: "or new number plate fees"

8. Page 10, line 3.

Following: line 2

Insert: "Section 4. Section 5, Chapter 674, Laws of 1985, is amended to read:

"Section 5. Termination date. This act terminates July 1, ~~1991~~ 1996."

Renumber: subsequent section

9. Page 10, line 7.

Following: line 6

Insert: "NEW SECTION. Section 6. Effective date. [This act] is effective on passage and approval.

NEW SECTION. Section 7. Applicability. [This act] applies to registration of motor vehicles and display of license plates issued after December 31, 1989."

And, as amended, do pass. Report adopted.

HB 572, introduced bill, be amended as follows:

1. Title, line 10.

Following: "LADING;"

Strike: "AND"

Following: "MCA"

Insert: ", AND PROVIDING AN IMMEDIATE EFFECTIVE DATE
AND A TERMINATION DATE"

2. Page 4, line 14.

Following: "lading"

Insert: "or other evidence of delivery"

3. Page 4, line 15.

Following: "80-5-120"

Insert: "that have been sold or are intended for sale in Montana"

4. Page 6, line 21.

Strike: "Licensed seed"

Insert: "Seed"

5. Page 6, line 22.

Following: "lading"

Insert: "or other evidence of delivery"

6. Page 7.

Following: line 8

Insert: "NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

NEW SECTION. Section 5. Termination. [This act] terminates July 1, 1991."

And, as amended, do pass. Report adopted.

HB 595, introduced bill, be amended as follows:

1. Title, line 5.

Following: "ERECT"

Insert: "AND THE MONTANA HISTORICAL SOCIETY TO
FUND"

2. Title, line 6.

Following: "HIGHWAYS;"

Strike: "AND"

3. Title, line 8.

Following: "LOCATIONS"

Insert: ", AND PROVIDING A TERMINATION DATE"

4. Page 1, line 21.

Following: "designate"

Insert: "the general"

Following: "markers."

Insert: "The department shall determine the exact location of each marker."

5. Page 1, lines 23 and 24.

Following: "Indians," on line 23

Strike: ", in cooperation with the department"

Insert: "The preservation review board established in 2-15-1512, in consultation with the coordinator of Indian affairs, shall review the design and text of each marker. A marker may not be erected if the tribal government and the review board do not agree on its design and text."

6. Page 1, line 25.

Following: line 24

Insert: "NEW SECTION. Section 3. Historical society to pay cost of markers from allocation under lodging facility tax. The Montana historical society shall pay the cost of manufacture and erection of markers provided for in [section 1] from funds available to the society under 15-65-121(1)(a) after June 30, 1991, and the society shall expend up to \$10,000 each fiscal year for the purposes of [section 1]."

Renumber: subsequent sections

7. Page 2, line 9.

Following: line 8

Insert: "NEW SECTION. Section 6. Termination date. [This act] terminates July 1, 1997."

And, as amended, do pass. Report adopted.

HB 602, introduced bill, be amended as follows:

1. Title, line 6.

Following: "PERMIT"

Insert: "AND SUBJECTING THOSE VEHICLES TO A SPEED LIMIT OF 55 MILES PER HOUR"

Strike: "SECTION"

Insert: "SECTIONS 61-8-312 AND"

2. Page 1, line 10.

Following: line 9

Insert: "Section 1. Section 61-8-312, MCA, is amended to read:

"61-8-312. Special speed limitations on trucks, truck tractors, motor-driven cycles, and vehicles towing housetrailer. (1) No person shall operate any truck or truck tractor the gross weight of which exceeds 8,000 pounds at a speed greater than 65 miles per hour on those completed sections of interstate and four-lane divided highways and 60 miles per hour on those completed sections of primary and secondary highways. However, the truck nighttime speed limit shall not exceed that of automobiles as stated in 61-8-303.

(2) No person shall operate ~~any~~ a vehicle subject to a term permit under 61-10-124(3)(d) or a truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles subject to special permits under 61-10-124(4) at a speed greater than 55 miles per hour.

(3) No person shall operate any motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles per hour unless such motor-driven cycle is equipped with a headlamp or lamps which are adequate to reveal a person or vehicle at a distance of 300 feet ahead.

(4) No person shall operate a vehicle which is towing a housetrailer at a speed greater than a maximum of 50 miles per hour. (Subsection (2) terminates July 1, 1989—sec. 8, Ch. 474, L. 1987.)"

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 624, introduced bill, be amended as follows:

1. Title, line 6.

Following: "HIGHWAYS;"

Insert: "STATING THE PURPOSE OF THE SIGNS;"

2. Page 1, line 11.

Following: "highways"

Insert: " — costs — responsibility of department"

Following: " "

Insert: "(1)"

3. Page 1, line 14.

Strike: "(1)"

Insert: "(a)"

4. Page 1, line 17.

Strike: "(2)"

Insert: "(b)"

5. Page 1, line 22.

Following: line 21

Insert: "(2) (a) The department may not pay the cost of the manufacture and erection of the signs provided for in subsection (1)(b) out of funds appropriated to the department.

(b) Scenic loop highway signs are intended to provide tourist information, and the department's responsibility for the construction, maintenance, or traffic operation of the highway so signed is not affected by the signs.

(c) Erection of scenic loop highway signs does not create a scenic highway."

And, as amended, do pass. Report adopted.

HB 671, do pass. Report adopted.

HB 689, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Russell, Chairman): 2/17/89

HB 508, introduced bill, be amended as follows:

1. Title, lines 9 and 10.

Following: "TO"

Strike: the remainder of line 9 through "WORK" on line 10

Insert: "PROVIDE A WORKER AN ABSOLUTE PREFERENCE TO A POSITION PROVIDING WAGES COMPARABLE TO THOSE EARNED IN HIS FORMER POSITION"

2. Title, line 13.

Following: line 12

Insert: "TO RELEASE THE EMPLOYER FROM CONTINUED HEALTH INSURANCE BENEFIT RESPONSIBILITIES UPON TERMINATION OF AN EMPLOYEE;"

3. Page 2, line 7.

Following: "injury"

Insert: "within 2 years from the date of injury"

4. Page 2, line 12.

Following: "~~abilities~~"

Strike: "his former job upon his return to work"

Insert: "an absolute preference to a position that provides wages comparable to those earned in his former position"

5. Page 2, line 15.

Following: "~~occurred.~~"

Insert: "This preference applies only to employment with the employer for whom the employee was working at the time the injury occurred."

6. Page 2, line 18.

Following: "~~continue~~"

Insert: ", during the period of injury,"

7. Page 2, line 22.

Following: "~~time.~~"

Insert: "The employer is released from the provisions of this subsection in the event the employee is terminated pursuant to subsection (1)(a) or (1)(b)."

And, as amended, do pass. Report adopted.

HB 622, introduced bill, be amended as follows:

1. Page 4, line 22.

Following: line 21

Strike: "fund"

Insert: "account"

Following: "program"

Strike: "fund"

Insert: "account"

2. Page 4, line 25.

Following: "in the"

Strike: "fund"

Insert: "account"

Following: "The"

Strike: "fund"

Insert: "account"

3. Page 5, line 3.

Following: "The"

Strike: "fund"

Insert: "account"

4. Page 5, line 5.

Following: "for"

Strike: "fund"

Insert: "account"

5. Page 5, line 6.

Following: "against"

Strike: "each"

Insert: "any"

Following: "39-71-117,"

Insert: "whose loss ratio exceeds 75% in any year,"

6. Page 5, line 7.

Following: "equal to"

Strike: "0.0125%"

Insert: "0.3%"

7. Page 5, line 8.

Following: "payroll"

Strike: "in the preceding calendar quarter"

8. Page 5, line 9.

Following: "must"

Insert: "be paid quarterly and"

9. Page 5, line 10.

Following: "programs."

Insert: "The division of workers' compensation shall compute the loss ratio of self-insurers, using the state fund rate. An insurance company writing workers' compensation insurance in Montana shall furnish the division with the loss ratio of each employer insured."

And, as amended, do pass. Report adopted.

HB 639, introduced bill, be amended as follows:

1. Page 1, lines 23 through page 2, line 1.

Following: "~~Least~~"

Insert: "At Least"

Following: "~~Than~~"

Insert: "But Less Than"

Following: "~~1.00~~" on line 24

Insert: "1.00"

Following: "~~1.25~~"

Insert: "1.25"

Following: "~~8~~"

Insert: "8"

Following: "~~1.25~~" on line 25

Insert: "1.25"

Following: "~~1.50~~"

Insert: "1.50"

Following: "~~10~~"

Insert: "10"

Following: "~~1.50~~" on line 1 of page 2

Strike: "0 to"

Insert: "1.50"

And, as amended, do pass. Report adopted.

HB 644, introduced bill, be amended as follows:

1. Title, line 5.

Following: "BENEFITS"

Insert: "OR WAGES AND BENEFITS"

2. Title, line 8.

Following: "AND"

Strike: "AN"

Following: "APPLICABILITY"

Strike: "DATE"

Insert: "DATES"

3. Title, line 7.

Following: "HOLIDAYS"

Insert: "OR DURING AN EMERGENCY CLOSURE"

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 20-9-806 AND"

4. Page 3.

Following: line 15

Insert: "Section 2. Section 20-9-806, MCA, is amended to read:

"20-9-806. School closure by declaration of emergency. If a school is closed by reason of declaration of emergency by the governor:

(1) the pupil instruction days lost during the closure need not be rescheduled to meet the minimum requirement for pupil-instruction days that a school district must conduct during the school year in order to be entitled to full annual equalization apportionment; and

(2) nonprofessional school employees must receive full wages and benefits for those days not rescheduled.""

Renumber: subsequent sections

5. Page 3, line 20.

Following: "Applicability"

Strike: "date. [This act]"

Insert: ". (1) [Section 1]"

6. Page 3.

Following: line 22

Insert: "(2) [Section 2] applies retroactively, within the meaning of 1-2-109, to emergency closures on or after January 1, 1989."

And, as amended, do pass. Report adopted.

HB 694, do pass. Report adopted.

HB 695, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Following: "WORK,"

Strike: remainder of lines 7 and 8

2. Title, line 9.

Following: "39-51-2104,"

Strike: "39-51-2105,"

3. Page 2, line 6.

Following: "due to"

Strike: ":",

4. Page 2, line 7.

Strike: "(a)"

5. Page 2, lines 10 and 11.

Following: "disability" on line 10

Strike: remainder of line 10 through "39-51-2307" on line 11

6. Page 2, line 24 through page 3, line 11.

Strike: section 2 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 710, introduced bill, be amended as follows:

1. Page 2, line 16.

Following: "injury"

Insert: ", as demonstrated by past employment history"

2. Page 3, line 17.

Following: "injury"

Insert: ", as demonstrated by past employment history"

3. Page 4, line 12.

Following: "injury"

Insert: ", as demonstrated by past employment history"

And, as amended, do pass. Report adopted.

HB 719, do pass. Report adopted.

Adverse Committee Report

HB 427, do not pass.

LOCAL GOVERNMENT (Darko, Chairman):

2/17/89

HB 549, second reading copy, be amended as follows:

1. Title, line 5.

Following: "FOR"

Insert: "NONGENERAL GOVERNMENTAL"

2. Page 2, line 12.

Following: "fee for a"

Insert: "nongeneral governmental"

3. Page 2, line 15.

Following: "service."

Insert: "For the purposes of this section, a nongeneral governmental service is a service identified by the board of county commissioners as one that benefits particular individuals rather than the public as a whole."

And, as amended, do pass. Report adopted.

HB 630, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "EACH OCCUPIED MOBILE HOME SPACE"

Insert: "THE NUMBER OF MOBILE HOME SPACES OCCUPIED ON JANUARY 1"

2. Title, lines 7 and 8.

Strike: "REQUIRING" on line 7 through "FEE;" on line 8

3. Page 1, lines 19 through 21.

Strike: "In" on line 19 through "space." on line 21

Insert: "Fees for mobile home park accounts shall be based upon the number of mobile home spaces occupied on January 1."

And, as amended, do pass. Report adopted.

HB 647, do pass. Report adopted.

HB 649, introduced bill, be amended as follows:

1. Title, line 8.

Following: "SECTIONS"

Insert: "3-10-1004,"

2. Page 1.

Following: line 12

Insert: "Section 1. Section 3-10-1004, MCA, is amended to read:

"3-10-1004. Jurisdiction — removal from district court. (1) The small claims court has jurisdiction over all actions for the recovery of money or specific personal property when the amount claimed does not exceed ~~\$1,500~~ \$2,500, exclusive of costs, and the defendant can be served within the county where the action is commenced.

(2) A district court judge may require any action filed in district court to be removed to the small claims court if the amount in controversy does not exceed ~~\$1,500~~ \$2,500. The small claims court shall hear any action so removed from the district court."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 656, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/17/89

HB 660, do pass. Report adopted.

HB 700, do pass. Report adopted.

HB 708, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "DISTRIBUTES"

Insert: "DISTRIBUTE"

2. Title, line 6.

Following: "39-51-303"

Insert: "AND 39-73-102"

Strike: "SECTION"

Insert: "SECTIONS"

3. Title, line 7.

Strike: "39-73-102,"

4. Page 1.

Following: line 18

Insert: "Section 2. Section 39-73-102, MCA, is amended to read:

"39-73-102. Administration — duties of division. The division of workers' compensation shall administer this chapter. The division shall:

(1) formulate a plan and adopt rules for the operation of this chapter;

(2) cooperate with the federal government in all matters of immediate concern pertaining to silicosis;

~~(3) publish an annual report and interim reports as may be necessary or required or asked for by the governor;~~

~~(4)~~(3) designate the procedure to be followed in securing a competent medical examination for the purposes of determining silicosis in each individual applicant;

~~(5)~~(4) designate suitable physicians or physicians, well qualified to examine applicants for aid under this chapter;

~~(6)~~(5) pay the actual transportation expenses of any applicant from the place of his residence in the state to the place of examination and return, from funds appropriated to the division for that purpose;

(7)(6) develop and cooperate with other agencies in developing measures for the prevention of silicosis.””

Renumber: subsequent section

5. Page 1, line 20.

Strike: “39-73-102,”

And, as amended, do pass and be placed on consent calendar. Report adopted.

HB 730, do pass. Report adopted.

HJR 28, do pass. Report adopted.

ADVERSE COMMITTEE REPORTS

HB 442 - Representative Harrington moved the 2/15/89 adverse committee report on HB 442 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Campbell, Daily, DeBruycker, Guthrie, Harper, Pavlovich, Swysgood, Thoft, Whalen.

Total 9

Excused: Cohen, Gervais, Giacometto, Gilbert.

Total 4

Absent or not voting: J. Brown, Marks, Nisbet.

Total 3

SB 117 - Representative Harrington moved the 2/15/89 adverse committee report on SB 117 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 58

Noes: Aafedt, Boharski, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Glaser, Good, Grinde, Hannah, Hanson, Hayne, Kasten, Keller, Marks, Mercer, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Wallin.

Total 39

Paired: Cohen, Gervais, Ayes; Hannah, Rehberg, Noes.

Excused: Giacometto, Gilbert.

Total 2

Absent or not voting: Hoffman.

Total 1

MOTIONS

Representative D. Brown moved HB 493 be taken from Order of Business No. 2 this legislative day and rereferred to the Committee on Judiciary. Motion carried.

Representative Menahan moved HB 613 be taken from Order of Business No. 2 this legislative day and rereferred to the Committee on Taxation. Motion carried.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 2/16/89

HB 79, introduced by DeBruycker

HB 174, introduced by Grinde

Senate bills passed and transmitted to the House for concurrence: 2/16/89

SB 78, introduced by Regan

SB 131, introduced by Mazurek

SB 132, introduced by Mazurek

SB 178, introduced by Yellowtail

SB 256, introduced by McLane

SB 261, introduced by Bishop

SB 271, introduced by Manning

SB 289, introduced by Hager

SB 294, introduced by Rapp-Svrcek

SB 330, introduced by Beck

SB 332, introduced by Manning

SB 333, introduced by Mazurek

SJR 11, introduced by Beck

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 310 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cohen, Gervais, Giacometto, Gilbert.

Total 4

Absent or not voting: Kadas.

Total 1

HB 355 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Spaeth, Spring, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Campbell, Cobb, Compton, DeBruycker, Ellison, Gould, Hanson, Kasten, Owens, Rice, Simpkins, Squires, Stepler.

Total 13

Excused: Cohen, Gervais, Giacometto, Gilbert.

Total 4

Absent or not voting: Smith.

Total 1

HB 425 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Campbell, Guthrie, Hayne, Owens, Pavlovich, Phillips, Smith, Stang.

Total 8

Excused: Cohen, Gervais, Giacometto, Gilbert.

Total 4

Absent or not voting: Simpkins.

Total 1

HB 559 passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson,

Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cohen, Gervais, Giacometto, Gilbert.

Total 4

Absent or not voting: Bardanoue, Smith.

Total 2

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 656: Guthrie, Grady, Walker, Menahan, Lynch, Daily, and Spaeth.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:00 a.m., Saturday, February 18, 1989.

Motion carried.

House adjourned at 2:40 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FORTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 18, 1989

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Cody. Pledge of Allegiance to the Flag.

Roll call. All members present except McDonough and Owens, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/18/89

Correctly printed: HB 245, HB 283, HB 447, HB 508, HB 549, HB 572, HB 595, HB 602, HB 622, HB 624, HB 630, HB 639, HB 644, HB 647, HB 649, HB 655, HB 656, HB 660, HB 671, HB 689, HB 694, HB 695, HB 700, HB 710, HB 719, HB 720, HB 730, HJR 26, HJR 28.

Correctly enrolled: HB 4, HB 21, HB 107, HB 195, HB 199, HB 260, HJR 4.

Examined by the sponsor and found to be correct:

2/17/89

HB 4 - Hanson

HB 21 - Marks

HB 107 - Spaeth

HB 195 - Rice

HB 199 - J. Brown

HB 260 - Clark

HJR 4 - Grinde

2/18/89

Signed by the Speaker at 4:00 p.m., 2/17/89: HB 4, HB 21, HB 107, HB 195, HB 199, HB 260, HJR 4.

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/17/89

HB 600, do pass. Report adopted.

HB 683, do pass. Report adopted.

HB 690, do pass. Report adopted.

HB 706, do pass. Report adopted.

HB 711, do pass. Report adopted.

HB 733, do pass. Report adopted.

Adverse Committee Reports

HB 629, introduced bill, be amended as follows:

1. Page 1, line 23.

Strike: "(1)"

2. Page 2, lines 2 through 23.

Strike: "unless" on line 2 through "act]" on line 23

3. Page 4, lines 23 and 24.

Strike: "the lien and"

4. Page 4, line 25.

Strike: "and enforcing the lien"

5. Page 5, line 3.

Strike: "the chattel mortgages or other"

6. Page 5, line 4.

Following: "record"

Insert: "or under [this act]"

And, as amended, do not pass.

HB 696, do not pass.

HB 705, second reading copy, be amended as follows:

1. Title, line 5.

Following: "ACT"

Insert: "ON RETAIL CHARGE ACCOUNTS"

2. Page 1, lines 15 and 16.

Strike: "may" on line 15 through "year" on line 16

Insert: "must be at a rate agreed upon by the retail seller and the buyer"

3. Page 3, line 6.

Strike: "retail installment contracts and"

And, as amended, do not pass.

JUDICIARY (D. Brown, Chairman):

2/17/89

HB 291, introduced bill, be amended as follows:

1. Page 2, line 4.

Strike: "(a)"

2. Page 2, lines 17 through 24.

Strike: lines 17 through 24

And, as amended, do pass. Report adopted.

HB 511, introduced bill, be amended as follows:

1. Title, line 11.

Following: "RECORDED;"

Strike: "AND"

2. Title, line 12.

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

3. Page 4.

Following: line 18

Insert: "NEW SECTION. Section 4. Applicability. [This act] applies to trust indentures entered into on or after [the effective date of this act]."

And, as amended, do pass. Report adopted.

HB 582, introduced bill, be amended as follows:

1. Title, line 13.

Following: ".,"

Strike: "AND"

2. Title, line 15.

Following: "MCA"

Insert: "; AND PROVIDING EFFECTIVE DATES"

3. Page 4, line 3.

Following: "restriction"

Strike: ", which"

4. Page 4, line 4.

Following: "2"

Strike: remainder of line 4 through "conviction" on line 7

5. Page 4, line 22.

Following: " "

Strike: remainder of line 22 through " " on line 24

6. Page 6, line 23.

Following: "restriction"

Strike: ", which"

7. Page 6, line 24.

Following: "2"

Strike: remainder of line 24 through "conviction" on page 7, line 2

8. Page 7, line 17.

Following: " "

Strike: remainder of line 17 through " " on line 19

9. Page 16, line 3.

Following: line 2

Insert: "NEW SECTION. Section 10. Effective dates. (1) [Sections 8 and 9] and this section are effective on passage and approval.

(2) [Sections 1 through 7] are effective July 1, 1990."

And, as amended, do pass. Report adopted.

HB 592, introduced bill, be amended as follows:

1. Title, lines 8 through 10.

Strike: "PROHIBITING" on line 8 through "PAID" on line 10

Insert: "PROVIDING FOR A TAX LIEN AGAINST FIRE INSURANCE PROCEEDS"

2. Page 1, line 16.

Strike: "must"

Insert: "may"

3. Page 1, lines 20 through 22.

Strike: ", unless" on line 20 through "future" on line 22

4. Page 2, lines 21 through 24.

Strike: "Fire" on line 21 through end of line 24

Insert: "Tax lien on insured property destroyed by fire. If taxes are due and unpaid on property covered by fire insurance and damaged or destroyed by fire, the government entity owed the taxes has a lien on fire insurance proceeds paid in relation to that property in the amount of the unpaid taxes."

And, as amended, do pass. Report adopted.

HB 621, introduced bill, be amended as follows:

1. Page 2, line 19.

Following: "~~provider or~~"

Insert: "including an agent or employee of the health care provider or"

And, as amended, do pass. Report adopted.

HB 668, introduced bill, be amended as follows:

1. Page 2, line 4.

Following: "disease."

Insert: "The term does not include vital statistics information gathered under Title 50, chapter 15."

2. Page 2, line 24.

Strike: "15"

Following: "17"

Strike: " , "

3. Page 3, line 21.

Strike: "again"

Insert: "by the person or entity it is released to"

4. Page 4, line 9.

Following: "who"

Insert: "knowingly"

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 427 - Representative Russell moved the 2/15/89 adverse committee report on HB 427 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Bradley, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, Menahan, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Simon, Smith, Spaeth, Spring, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 73

Noes: Peck, Simpkins, Steppler.

Total 3

Excused: Aafedt, Addy, Boharski, Brooke, D. Brown, Darko, Eudaily, Gould, Hannah, Knapp, McDonough, Mercer, L. Nelson, Rice, Stickney, Strizich, Wyatt.

Total 17

Absent or not voting: Grady, Hansen, Moore, Owens, Patterson, Roth, Squires.

Total 7

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/17/89

SB 26, introduced by Weeding

SB 130, introduced by Manning

SB 168, introduced by Bengtson

SB 194, introduced by Boylan

SB 216, introduced by Manning

SB 221, introduced by Tveit

SB 223, introduced by Keating

SB 226, introduced by Himsl

SB 240, introduced by Jenkins

SB 284, introduced by Thayer

SB 285, introduced by Halligan

SB 286, introduced by Beck
SB 287, introduced by Lynch
SB 296, introduced by Hager
SB 304, introduced by Regan
SB 308, introduced by Van Valkenburg
SB 309, introduced by Hofman
SB 310, introduced by McLane
SB 323, introduced by Vaughn
SB 325, introduced by Yellowtail
SB 338, introduced by Mazurek
SB 341, introduced by B. Brown
SB 346, introduced by B. Brown
SB 347, introduced by Van Valkenburg
SB 356, introduced by Mazurek
SB 364, introduced by Thayer
SB 365, introduced by Beck
SB 366, introduced by Beck
SJR 8, introduced by Mazurek

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

February 17, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 14 on February 16, 1989.

Please be informed that I have signed House Bills 22, 36 and 130 on February 17, 1989.

Sincerely,

STAN STEPHENS
Governor

MOTIONS

Representative Peterson moved HB 162 be taken from the table in the Committee on Highways and Transportation and printed and placed on second reading. Motion failed. (50-47)

Representative Cobb moved HB 702 be taken from the table in the Committee on Natural Resources and printed and placed on second reading on the 43rd legislative day. Motion failed. (51-47)

Representative Addy moved consideration of HB 645 be passed for the day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Marks in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 234 - Representative Spaeth moved HB 234 be placed below HB 596 on the second reading board. Motion carried.

Representative Hannah excused at this time.

HB 317 - Representative Eudaily moved HB 317 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Hannah, Owens.

Total 2

Absent or not voting: None.

Total 0

Representative Hannah present at this time.

HB 356 - Representative Phillips moved HB 356 do pass. Motion failed as follows:

Ayes: Aafedt, Blotkamp, Boharski, D. Brown, Campbell, Clark, Compton, Daily, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Glaser, Gould, Grady, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Smith, Spaeth, Strizich, Swift, Swysgood, Thomas, Westlake, Whalen, Zook.

Total 38

Noes: Addy, Bachini, Bardanouve, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, Driscoll, Gervais, Gilbert, Good, Grinde, Guthrie, Hannah, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Thoft, Wallin, Wyatt, Mr. Speaker.

Total 60

Excused: Owens.

Total 1

Absent or not voting: Koehnke.

Total 1

HB 383 - Representative Ellison moved HB 383 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Campbell, Gilbert, Good, Guthrie, Peck, Stang, Stepler.

Total 7

Excused: Owens.

Total 1

Absent or not voting: Connelly, Gervais, Squires.

Total 3

HB 393 - Representative Darko moved HB 393 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Boharski, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, Elliott, Ellison, Eudaily, Gilbert, Good, Gould, Hannah, Harper, Hayne, Hoffman, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Peck, Peterson, Ramirez, Rehberg, Rice, Simon, Spaeth, Spring, Stickney, Strizich, Swift, Wallin, Wyatt, Mr. Speaker.

Total 51

Noes: Aafedt, Blotkamp, Bradley, D. Brown, Campbell, Cobb, Cody, Daily, DeBruycker, DeMars, Driscoll, Gervais, Giacometto, Glaser, Grady, Grinde, Guthrie, Hansen, Hanson, Harrington, Iverson, Kadas, McCormick, Menahan, Moore, O'Keefe, Patterson, Pavlovich, Phillips, Quilici, Raney, Roth, Russell, Schye, Simpkins, Smith, Squires, Stang, Stepler, Swysgood, Thoft, Thomas, Westlake, Whalen, Zook.

Total 45

Excused: Owens.

Total 1

Absent or not voting: Bardanouve, Johnson, Ream.

Total 3

HB 399 - Representative O'Keefe moved HB 399 be placed below HB 571 on the second reading board. Motion carried.

HB 422 - Representative Eudaily moved HB 422 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kimberley, Knapp, Marks, McCormick,

McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Kilpatrick, Koehnke, Lee, Patterson, Wallin.

Total 5

Excused: Owens.

Total 1

Absent or not voting: D. Brown, Gilbert, Hannah, Keller, O'Connell, O'Keefe.

Total 6

HB 446 - Representative Daily moved HB 446, second reading copy, be amended as follows:

1. Page 2, line 21.

Following: "sold"

Insert: "and must not come from that part of all gross revenue that is net revenue and is paid to the superintendent of public instruction"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Good, Guthrie, Lee, Raney.

Total 5

Excused: Owens.

Total 1

Absent or not voting: Bardanouve, D. Brown, Hannah, Marks, O'Keefe, Whalen.

Total 6

Representative Daily moved HB 446, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Davis, DeMars, Driscoll, Ellison, Gervais, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Kimberley, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Quilici, Raney, Ream, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang,

Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Zook, Mr. Speaker.

Total 66

Noes: Bardanouve, Cobb, Compton, Darko, DeBruycker, Elliott, Eudaily, Gilbert, Good, Gould, Guthrie, Hanson, Harper, Kadas, Keller, Lee, L. Nelson, R. Nelson, T. Nelson, Peck, Peterson, Ramirez, Rehberg, Rice, Simon, Simpkins, Spring, Steppler, Wallin.

Total 29

Excused: Owens.

Total 1

Absent or not voting: D. Brown, Knapp, O'Keefe, Wyatt.

Total 4

HB 465 - Representative Iverson moved HB 465 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Owens.

Total 1

Absent or not voting: D. Brown, T. Nelson, Strizich.

Total 3

HB 477 - Representative Grady moved HB 477 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Gould, Grady, Guthrie, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Spaeth, Spring, Stang, Stickney, Strizich, Swysgood, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Cobb, Cody, Cohen, Driscoll, Giacometto, Gilbert, Glaser, Good, Grinde, Hannah, Hansen, Kasten, Kimberley, Patterson, Peck, Phillips, Simon, Simpkins, Smith, Squires, Steppler, Swift, Thoft, Wallin.

Total 24

Excused: Owens.

Total 1

Absent or not voting: Aafedt, Bardanouve, Lee, O'Connell.

Total 4

HB 482 - Representative Cocchiarella moved HB 482 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Giacometto, Gilbert, Glaser, Kasten.

Total 4

Excused: Owens.

Total 1

Absent or not voting: Bardanouve, Keller, Menahan.

Total 3

HB 483 - Representative Driscoll moved HB 483 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Hayne.

Total 1

Excused: Owens.

Total 1

Absent or not voting: Brooke, Kadas, Menahan, Peterson.

Total 4

Representative Owens present at this time.

HB 486 - Representative Grady moved HB 486 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Davis, Driscoll, Elliott, Eudaily, Gervais, Good, Grady, Guthrie, Hannah, Hansen, Harper, Harrington, Iverson, Kadas, Kasten, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Spaeth, Squires, Stang, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 67

Noes: Blotkamp, Campbell, Clark, Cobb, Cody, DeBruycker, DeMars, Ellison, Giacometto, Gilbert, Gould, Grinde, Hanson, Hayne, Hoffman, Johnson, Keller, Knapp, Menahan, L. Nelson, Phillips, Schye, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Zook.

Total 29

Excused: None.

Total 0

Absent or not voting: Bardanouve, Darko, Glaser, Thoft.

Total 4

HB 495 - Representative Strizich moved HB 495 do pass.

Representative Darko made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Darko moved HB 495, second reading copy, be amended as follows:

1. Title, line 9.

Following: "POSSESSION"

Insert: "FOR A PERSON UNDER THE AGE OF 18"

2. Page 1, line 19.

Strike: "other than an alcoholic beverage"

3. Page 1, line 21.

Following: "knowingly"

Strike: "CONSUMES OR"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Cobb.

Total 1

Excused: None.

Total 0

Absent or not voting: Bardanouve, Ramirez.

Total 2

Thereupon, HB 495, as amended, passed as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Aafedt, D. Brown, Cohen, Hannah, Harrington, Iverson, Stepler, Swysgood, Westlake, Whalen.

Total 10

Excused: None.

Total 0

Absent or not voting: Bardanouve, Bradley, T. Nelson, Ramirez, Swift.

Total 5

HB 499 - Representative Giacometto moved HB 499 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 95

Noes: Wyatt.

Total 1

Excused: None.

Total 0

Absent or not voting: D. Brown, Hannah, O'Connell, Stang.

Total 4

HB 501 - Representative Stickney moved HB 501 do pass. Motion failed as follows:

Ayes: Addy, Bachini, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Connelly, Daily, Darko, DeBruycker, Giacometto, Guthrie, Hannah,

Hansen, Harper, Harrington, Hoffman, Johnson, Keller, Kilpatrick, Knapp, McDonough, Moore, Pavlovich, Raney, Ream, Rehberg, Smith, Spring, Squires, Stickney, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 37

Noes: Aafedt, Bardanouve, Blotkamp, Boharski, Bradley, Cobb, Cody, Cohen, Compton, DeMars, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hanson, Hayne, Iverson, Kadas, Kasten, Kimberley, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Peck, Peterson, Phillips, Ramirez, Rice, Roth, Russell, Schye, Simon, Spaeth, Stepler, Strizich, Swift, Swysgood, Zook.
Total 54

Excused: None.
Total 0

Absent or not voting: D. Brown, Davis, Driscoll, Patterson, Quilici, Simpkins, Stang, Thoft, Thomas.
Total 9

HB 504 - Representative Daily moved HB 504 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cohen, Whalen.
Total 2

Excused: None.
Total 0

Absent or not voting: Harper, Mercer, T. Nelson, Thoft, Thomas.
Total 5

HB 514 - Representative Hansen moved HB 514 do pass. Motion failed as follows:

Ayes: Addy, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Good, Hansen, Harper, Harrington, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.
Total 42

Noes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman,

Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Peterson, Phillips, Ramirez, Rice, Roth, Simon, Simpkins, Smith, Spring, Stang, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.
Total 56

Excused: None.

Total 0

Absent or not voting: Grady, Rehberg.

Total 2

HB 516 - Representative Hanson moved HB 516 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, J. Brown, Campbell, Clark, Cobb, Compton, Connelly, Daily, Davis, DeBruycker, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Iverson, Keller, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook, Mr. Speaker.
Total 69

Noes: Brooke, D. Brown, Cocchiarella, Cody, Cohen, Darko, DeMars, Driscoll, Elliott, Eudaily, Gervais, Hansen, Johnson, Kadas, Kasten, Kilpatrick, Nisbet, O'Keefe, Raney, Ream, Rehberg, Schye, Squires, Stang, Stepler, Strizich, Whalen, Wyatt.
Total 28

Excused: None.

Total 0

Absent or not voting: Bradley, Hoffman, Kimberley.

Total 3

HB 521 - Representative Good moved HB 521 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Giacometto, Hoffman.

Total 2

Excused: None.

Total 0

Absent or not voting: Hannah, Whalen.

Total 2

HB 534 - Representative Swysgood moved HB 534 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: D. Brown, Cobb, Cohen, Simpkins, Whalen.

Total 5

HB 535 - Representative J. Brown moved HB 535 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Harper, Phillips.

Total 2

HB 540 - Representative Raney moved HB 540 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie,

Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: D. Brown, Campbell, Giacometto, Gilbert, Hannah, T. Nelson, Stang.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 542 - Representative Guthrie moved HB 542 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: D. Brown, Campbell, Hayne, Knapp, Thoft.

Total 5

HB 543 - Representative Connelly moved HB 543 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Gervais, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, Roth, Russell, Schye, Spring, Stang, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 58

Noes: Aafedt, Bardanouve, Boharski, Campbell, Cobb, Compton, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Good, Grinde, Guthrie, Hannah,

Hanson, Iverson, Kasten, Keller, Koehnke, Lee, Marks, Mercer, T. Nelson, Owens, Patterson, Peck, Ramirez, Rehberg, Rice, Simon, Simpkins, Smith, Spaeth, Steppler, Swift, Swysgood, Thoft.

Total 38

Excused: None.

Total 0

Absent or not voting: Blotkamp, L. Nelson, Phillips, Squires.

Total 4

HB 554 - Representative Addy moved HB 554 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Spring, Steppler.

Total 2

Excused: None.

Total 0

Absent or not voting: Blotkamp, T. Nelson, Wallin.

Total 3

HB 558 - Representative Kilpatrick moved HB 558 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Gilbert.

Total 1

Excused: None.

Total 0

Absent or not voting: Davis, Hoffman, Rehberg, Roth, Swift.

Total 5

HB 568 - Representative Mercer moved HB 568 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: O'Connell, Simon, Whalen.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 569 - Representative Nisbet moved HB 569 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Russell, Schye, Simon, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 65

Noes: Aafedt, Bardanouve, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Giacometto, Gilbert, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Mercer, L. Nelson, Owens, Rice, Roth, Simpkins, Smith, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 33

Excused: None.

Total 0

Absent or not voting: Iverson, Koehnke.

Total 2

Representative Harper moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Marks moved the adoption of the committee report. Report adopted. (89-8)

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Pavlovich, Chairman):

2/17/89

HB 536, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "the"

Strike: "40th"

Insert: "20th"

2. Page 3, lines 5 and 12.

Following: "complete" on each line

Strike: "40"

Insert: "20"

3. Page 14, line 10.

Following: "completed"

Strike: "40"

Insert: "20"

And, as amended, do pass. Report adopted.

HB 591, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "institutions."

Insert: "The legislature intends that the department by rule provide for a fee to cover the costs of providing support debt information."

2. Page 6, line 16.

Following: "request."

Insert: "The department may charge a fee to recover the cost of responding to requests for support debt information."

3. Page 7, line 17.

Following: "shall"

Insert: "within 30 days"

And, as amended, do pass. Report adopted.

HB 626, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

2. Title, line 7.

Following: "MCA"

Insert: " , AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2.

Following: line 6

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 652, introduced bill, be amended as follows:

1. Title, lines 5 through 7.

Strike: "REQUIRING" on line 5 through "PAID;" on line 7

2. Page 1, lines 19 and 20.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

3. Page 4, lines 5 through 13.

Strike: sections 3 and 4 in their entirety

Renumber: subsequent sections

4. Page 4, line 15.

Strike: "through 3"

Insert: "and 2"

5. Page 4, line 18.

Strike: "through 3"

Insert: "and 2"

And, as amended, do pass. Report adopted.

HB 670, introduced bill, be amended as follows:

1. Page 1, line 14.

Following: "as a"

Insert: "licensed"

2. Page 1, line 16.

Following: "records"

Insert: "of actual plumbing experience"

Following: ".,"

Strike: "and"

3. Page 1, line 19.

Following: "~~(1)(a);~~"

Insert: "evidence of 3 years' experience working with a licensed master plumber or in a supervisory capacity in the field of plumbing, which may run concurrently with the requirement in subsection (1)(a); and"

4. Page 1, line 20.

Following: line 19

Insert: "(c)"

5. Page 1, line 25.

Strike: "1,350"

Insert: "1,500"

And, as amended, do pass. Report adopted.

HB 734, introduced bill, be amended as follows:

1. Page 14, line 13.

Strike: "\$300.00"

Insert: "\$500.00"

2. Page 14, line 14.

Strike: "300.00"

Insert: "500.00"

3. Page 14, line 16.

Strike: "300.00"

Insert: "500.00"

4. Page 16, line 6.

Strike: "100.00"

Insert: "50.00"

5. Page 25, lines 1 and 2.

Following: "producer"

Strike: remainder of line 1 through "insurance" on line 2

And, as amended, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION (Menahan, Chairman): 2/17/89
HB 496, introduced bill, be amended as follows:

1. Title, line 6.

Following: "BRANCH"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE"

2. Page 2, line 19.

Strike: "his"

Insert: "another member of the senate"

3. Page 2, line 20.

Strike: "representative"

Insert: "by him"

4. Page 2, line 21.

Strike: "his"

Insert: "another member of the house"

5. Page 2, line 22.

Strike: "representative"

Insert: "by him"

6. Page 2, line 24.

Following: "or"

Strike: "their"

Insert: "another member of the respective house"

7. Page 2, line 25.

Strike: "representatives"

Insert: "by the respective chairman"

8. Page 3, line 6.

Following: "council,"

Strike: "and"

9. Page 3, line 7.

Following: "counsel"

Insert: "; and

(9) a person designated by the director of the department of administration to represent the data processing policy and planning functions of the department, who shall serve as a nonvoting member of the council"

10. Page 3, line 13.

Following: "review"

Insert: "or have reviewed"

11. Page 3, line 21.

Following: "legislature"

Insert: ", legislative agencies,"

12. Page 4, line 7.

Strike: "immediate"

Insert: "current"

13. Page 4, line 12.

Following: "branch"

Insert: "established under 2-17-501 through 2-17-503"

14. Page 4, line 20.

Following: "developing"

Insert: "or having developed"

15. Page 5, line 14.

Following: line 14

Insert: "NEW SECTION. Section 6. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 729, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/18/89

SB 124, introduced by Hager

SB 166, introduced by Bengtson

SB 167, introduced by Bengtson

SB 169, introduced by Bengtson

SB 253, introduced by Hofman

SB 257, introduced by Rapp-Svrcek

SB 259, introduced by Williams

SB 266, introduced by Walker

SB 340, introduced by Williams

SB 391, introduced by Bishop

SJR 6, introduced by Rapp-Svrcek

MESSAGES FROM THE GOVERNOR

John Vincent
Speaker of the House
Montana House of Representatives
State Capitol
Helena, Montana 59620

February 18, 1989

Dear Representative Vincent:

Please be informed that I have signed House Bill 19 on February 18, 1989.

Sincerely,

STAN STEPHENS
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

February 17, 1989

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill 29, "AN ACT TO CLARIFY THE FUNCTIONS OF THE COUNTY ASSESSOR IN IDENTIFYING TAXPAYERS SUBJECT TO A TELEVISION

DISTRICT TAX; TO PROVIDE A DEADLINE FOR CLAIMING AN EXEMPTION; AMENDING SECTIONS 7-13-2527 THROUGH 7-13-2529, MCA; AND PROVIDING AN APPLICABILITY DATE."

The bill contains a major technical problem. Section 1 requires assessors to report the owners of all property contained in classes four (most residential and commercial structures) and twelve (mobile homes) to the board of the television district. However, television districts typically service rural residents whose residential property is contained in class fourteen (farmsteads). This omission, if not corrected, would have a serious impact on some districts.

Governor's Amendments to HB 29

1. Page 1, line 18.

Strike: "class four or class twelve"

Insert: "class four, class twelve or class fourteen"

Sincerely,

STAN STEPHENS
Governor

Representative Harper moved the House recess until 1:15 p.m.

Motion carried.

House recessed at 11:45 p.m.

House reconvened at 1:15 p.m. Mr. Speaker in the Chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Marks in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives D. Brown, J. Brown, Darko, Good, Gould, Guthrie, Hansen, Hoffman, Johnson, McDonough, Rehberg, Stickney, Wallin, and Wyatt excused at this time.

HB 571 - Without objection, HB 571 was moved below HB 605 on the second reading board.

HB 399 - Representative Thoft moved HB 399, second reading copy, be amended as follows:

1. Title, line 15.

Following: "EFFECTIVE DATE"

Strike: "AND A RETROACTIVE APPLICABILITY DATE"

2. Page 18, line 1.

Strike: section 6 in its entirety

Renummer: subsequent section

Amendment passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily,

Gervais, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Strizich, Swift, Swysgood, Thoft, Westlake, Zook, Mr. Speaker.
Total 79

Noes: O'Keefe, Raney, Stang, Whalen.
Total 4

Excused: D. Brown, J. Brown, Darko, Good, Gould, Guthrie, Hansen, Hoffman, Johnson, McDonough, Rehberg, Stickney, Thomas, Wallin, Wyatt.
Total 15

Absent or not voting: Bachini, Moore.
Total 2

Representatives Good, Gould, Hansen, J. Brown, Johnson, and Rehberg present at this time.

Representative Thoft moved HB 399, second reading copy, be amended as follows:

1. Title, line 11.

Strike: "PROVIDING FOR A TRIAL CHANGE IN APPROPRIATION RIGHT;"

2. Page 9, line 16 through page 11, line 4.

Strike: subsections 2 and 3 in their entirety

Renumber: subsequent subsections

3. Page 11, line 6.

Strike: "(5)"

Insert: "(3)"

Strike: "(7)"

Insert: "(5)"

4. Page 12, line 1.

Strike: "(4)"

Insert: "(2)"

5. Page 13, line 3.

Strike: "(4)"

Insert: "(2)"

Strike: "(5)"

Insert: "(3)"

6. Page 14, line 2.

Strike: "(4)"

Insert: "(2)"

Strike: "(5)"

Insert: "(3)"

7. Page 14, line 10.

Strike: "(7)(B)(II)"

Insert: "(5)(b)(ii)"

8. Page 14, line 11.

Strike: "(7)(B)(III)"

Insert: "(5)(b)(iii)"

Amendment passed as follows:

Ayes: Aafedt, Addy, Boharski, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, Davis, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Iverson, Johnson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Spring, Stepler, Swift, Swysgood, Thoft, Westlake, Zook.
Total 65

Noes: Bachini, Bardanouve, Cocchiarella, Cohen, DeMars, Driscoll, Elliott, Gervais, Harper, Kadas, Kilpatrick, Kimberley, McCormick, Menahan, Raney, Ream, Simon, Stang, Whalen, Mr. Speaker.
Total 20

Excused: D. Brown, Darko, Hoffman, McDonough, Stickney, Thomas, Wallin, Wyatt.
Total 8

Absent or not voting: Blotkamp, Bradley, Brooke, J. Brown, O'Keefe, Squires, Strizich.
Total 7

Representatives Darko, Hoffman, Stickney, and Wyatt present at this time.

Representative O'Keefe moved HB 399, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: D. Brown, McDonough, Thomas, Wallin.
Total 4

Absent or not voting: Cobb, Keller, Simpkins.
Total 3

Representative McDonough present at this time.

HB 577 - Representative Simon moved HB 577 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooké, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton,

Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: D. Brown, Thomas, Wallin.

Total 3

Absent or not voting: Cobb, Knapp, Moore.

Total 3

Representatives Thomas and Wallin present at this time.

HB 581 - Representative Iverson moved HB 581 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Campbell.

Total 1

Excused: D. Brown.

Total 1

Absent or not voting: Hansen, Hoffman, Knapp, Menahan, Moore, Owens.

Total 6

HB 593 - Representative Russell moved HB 593, second reading copy, be amended as follows:

1. Page 2, lines 23 through 25.

Following: "person." on line 23

Strike: "Upon" on line 23 through "counseling." on line 25

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould,

Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: D. Brown.
Total 1

Absent or not voting: Grinde, Hoffman, Stepler.
Total 3

Representative Hannah excused at this time.

Representative D. Brown present at this time.

Representative Russell moved HB 593, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Campbell, DeBruycker, Gilbert, Phillips, Smith.
Total 5

Excused: Hannah.
Total 1

Absent or not voting: Hoffman, O'Connell.
Total 2

HB 596 - Representative Grinde moved HB 596 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith,

Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cobb.

Total 1

Excused: Hannah.

Total 1

Absent or not voting: Connelly, Hoffman.

Total 2

HB 234 - Representative Spaeth moved HB 234 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Guthrie, Hansen, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 70

Noes: Aafedt, Bardanouve, Boharski, Cobb, DeBruycker, Ellison, Gilbert, Good, Grinde, Hanson, Hayne, Kasten, Keller, Knapp, Lee, T. Nelson, Owens, Phillips, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Wallin.

Total 26

Excused: Hannah.

Total 1

Absent or not voting: Koehnke, Patterson, Zook.

Total 3

HB 601 - Representative O'Keefe moved HB 601 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Hannah.

Total 1

Absent or not voting: Bardanouve, Cohen, Davis, Ellison, Mercer, Nisbet.
Total 6

Representative Hannah present at this time.

HB 605 - Representative Grady moved HB 605 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 94

Noes: Hannah, Wyatt.

Total 2

Excused: None.

Total 0

Absent or not voting: Cohen, Kadas, Keller, Kimberley.

Total 4

HB 571 - Representative D. Brown moved HB 571 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Daily, Guthrie, Hannah, Kilpatrick.

Total 4

Excused: None.

Total 0

Absent or not voting: Clark, Davis, Ellison, Harrington.

Total 4

HB 609 - Representative Cohen moved HB 609 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody,

Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellison, Grady, Roth, Thomas, Zook.

Total 5

HB 610 - Representative Cobb moved HB 610 do pass. Motion carried as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Cohen, Connelly, DeMars, Elliott, Good, Grady, Grinde, Guthrie, Hanson, Harper, Harrington, Hoffman, Johnson, Kadas, Kasten, Lee, McDonough, Mercer, Moore, L. Nelson, Nisbet, O'Keefe, Patterson, Peck, Ramirez, Raney, Roth, Russell, Schye, Simpkins, Spaeth, Squires, Stickney, Strizich, Swift, Thoft, Thomas, Zook, Mr. Speaker.

Total 50

Noes: Aafedt, Bachini, Brooke, Cocchiarella, Daily, Darko, Davis, DeBruycker, Driscoll, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Hannah, Hayne, Iverson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, R. Nelson, T. Nelson, Owens, Pavlovich, Phillips, Quilici, Ream, Rehberg, Rice, Simon, Smith, Spring, Stang, Stepler, Swysgood, Wallin, Westlake, Whalen, Wyatt.

Total 44

Excused: None.

Total 0

Absent or not voting: Compton, Ellison, Hansen, Marks, O'Connell, Peterson.

Total 6

HB 611 - Representative Connelly moved HB 611 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires,

Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bachini, Good, Phillips, Ramirez.

Total 4

Excused: None.

Total 0

Absent or not voting: Grinde, Hayne, Thoft, Wallin.

Total 4

HB 618 - Representative Schye moved consideration of HB 618 be passed for the day. Motion carried.

HB 620 - Representative Vincent moved HB 620 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Campbell, Giacometto, Gilbert, Hayne, Kasten, Owens, Phillips, Rehberg, Smith, Spring.

Total 10

Excused: None.

Total 0

Absent or not voting: Ellison, Wallin.

Total 2

HB 646 - Representative Simpkins moved HB 646 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Davis, McCormick.

Total 2

Excused: None.

Total 0

Absent or not voting: Cohen, Hoffman, Stang, Whalen.

Total 4

HB 651 - Representative Whalen moved HB 651, second reading copy, be amended. Amendment failed. (31-67)

Representative Spaeth moved HB 651, do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Compton, Daily, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 70

Noes: Addy, Bardanouve, Bradley, Brooke, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, Elliott, Gervais, Hansen, Harper, Kadas, Kimberley, McDonough, Moore, Nisbet, O'Keefe, Raney, Ream, Russell, Schye, Squires, Stickney, Whalen, Wyatt, Mr. Speaker.

Total 29

Excused: None.

Total 0

Absent or not voting: Cobb.

Total 1

HB 657 - Representative Owens moved HB 657 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bradley, Russell.

Total 2

Excused: None.

Total 0

Absent or not voting: Bardanouve, Cobb, Marks, McDonough, Strizich.

Total 5

HB 658 - Representative Swysgood moved HB 658 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Gilbert.

Total 1

Excused: None.

Total 0

Absent or not voting: J. Brown, Connelly, Gervais, Hannah, L. Nelson.

Total 5

HB 662 - Representative Rice moved consideration of HB 662 be passed for the day. Motion carried.

Representative L. Nelson excused at this time.

HB 665 - Representative Darko moved HB 665 do pass. Motion failed as follows:

Ayes: Addy, Blotkamp, Bradley, D. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Elliott, Gervais, Gould, Grady, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Raney, Ream, Russell, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Westlake, Wyatt, Mr. Speaker.

Total 41

Noes: Aafedt, Bachini, Boharski, Brooke, J. Brown, Campbell, Clark, Cobb, Compton, Davis, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 53

Excused: L. Nelson, Schye.

Total 2

Absent or not voting: Bardanouve, Hansen, Harper, Whalen.

Total 4

HB 667 - Representative Good moved HB 667 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper,

Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Phillips, Simon.

Total 2

Excused: L. Nelson, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 677 - Representative Driscoll moved HB 677 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: L. Nelson, Schye.

Total 2

Absent or not voting: Good.

Total 1

HJR 9 - Representative Mercer moved HJR 9 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift,

Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Owens.

Total 1

Excused: L. Nelson, Schye.

Total 2

Absent or not voting: None.

Total 0

HJR 18 - Representative Menahan moved HJR 18 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cohen.

Total 1

Excused: L. Nelson, Schye.

Total 2

Absent or not voting: Grinde, Hansen, Harrington, Marks, Whalen.

Total 5

Representative Schye present at this time.

Representative Harrington excused at this time.

HJR 23 - Representative Cobb moved HJR 23 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, D. Brown, J. Brown, Campbell, Clark, Cobb, Cody, Compton, Connelly, Daily, DeBruycker, DeMars, Elliott, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Rehberg, Rice, Roth, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Bradley, Brooke, Cocchiarella, Cohen, Darko, Davis, Driscoll, Eudaily, Gervais, Hansen, Kadas, Kilpatrick, McDonough, Moore, O'Keefe, Raney, Ream, Russell, Squires, Stickney, Whalen.

Total 21

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Peterson.

Total 1

HJR 25 - Representative D. Brown moved HJR 25 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Brooke, Mercer.

Total 2

HB 70 - Representative Driscoll moved consideration of HB 70 be passed for the day. Motion carried.

HB 84 - Representative Hansen moved HB 84 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Hansen, Harper, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Stickney, Thomas, Westlake, Whalen, Mr. Speaker.

Total 72

Noes: Boharski, Campbell, Clark, Ellison, Glaser, Grinde, Guthrie, Hannah, Hanson, Hayne, Iverson, Koehnke, O'Keefe, Owens, Peterson, Simon, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Wallin, Wyatt, Zook.

Total 25

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Strizich.

Total 1

HB 225 - Representative Squires moved HB 225 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: McCormick.

Total 1

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Daily.

Total 1

HB 377 - Representative Daily moved HB 377 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Boharski, Grinde, Lee, R. Nelson, T. Nelson, Rice, Simon, Spring, Thomas, Wallin.

Total 10

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Grady.

Total 1

HB 437 - Representative Gould moved HB 437 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney,

Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Good.

Total 1

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Cobb, Squires.

Total 2

HB 438 - Representative Gould moved HB 438 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Hoffman.

Total 1

HB 524 - Representative Hansen moved HB 524 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Aafedt, Campbell, Clark, Cobb, DeBruycker, Giacometto, Good, Grinde, Guthrie, Hannah, Hayne, Kasten, Lee, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Swysgood, Thoft.

Total 25

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Marks.

Total 1

HB 529 - Representative Boharski moved HB 529 do pass.

Representative Cobb made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cobb moved HB 529, second reading copy, be amended as follows:

1. Page 3, line 7.

Following: “ ”

Strike: “AS DEFINED IN”

Insert: “based upon followup of job placements in accordance with”

2. Page 3, line 8.

Following: “STANDARDS”

Insert: “and including a followup 6 months after the original job placement”

Representative Squires moved to divide the amendment. Motion carried.

Amendment 1 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cohen, Darko, Hansen, Nisbet, Raney.

Total 5

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: McCormick.

Total 1

Amendment 2 failed as follows:

Ayes: Boharski, Campbell, Clark, Cobb, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Hoffman, Kasten, Keller, Lee, Marks, Mercer, Moore, T. Nelson, Patterson, Peterson, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Steppler, Swift, Thoft, Thomas, Zook.

Total 37

Noes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Gould, Hansen, Harper,

Hayne, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, R. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Smith, Spaeth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 60

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Phillips.

Total 1

Thereupon, HB 529, as amended, passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Whalen.

Total 1

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Ellison, Hannah, Spaeth.

Total 3

HB 541 - Representative Gould moved HB 541 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Cobb, Iverson, Mercer, Squires.

Total 4

Representative Iverson assumed the Chair at this time.

HB 544 - Representative Rice moved HB 544 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Stepler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Brooke, Cocchiarella, Cohen, Gervais, Kadas, McDonough, Ream, Strizich, Whalen.

Total 9

Excused: Harrington, L. Nelson.

Total 2

Absent or not voting: Cobb, Guthrie, Squires.

Total 3

Representative L. Nelson present at this time.

Representatives Blotkamp and Spring excused at this time.

HB 576 - Representative Roth moved HB 576 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Gervais, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Hayne, Iverson, Johnson, Keller, Kimberley, Knapp, Marks, McCormick, McDonough, Menahan, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Westlake, Whalen, Wyatt, Zook.

Total 66

Noes: Addy, Bardanouve, Boharski, Clark, Cobb, Cohen, Connelly, Elliott, Ellison, Eudaily, Good, Gould, Guthrie, Hannah, Harper, Hoffman, Kadas, Kasten, Kilpatrick, Lee, Mercer, R. Nelson, Peck, Ream, Rice, Stickney, Thomas, Wallin, Mr. Speaker.

Total 29

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: Koehnke, Moore.

Total 2

HB 578 - Representative Rice moved HB 578 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cobb.

Total 1

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: Marks.

Total 1

HB 594 - Representative Thomas moved HB 594 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kasten, Keller, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Clark, Kadas, Kilpatrick, O'Keefe, Roth, Stang, Steppler.

Total 7

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: Hayne.

Total 1

HB 598 - Representative Strizich moved HB 598 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth,

Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: Clark, DeBruycker, Hoffman, Swift, Zook.

Total 5

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: None.

Total 0

HB 604 - Representative O'Connell moved HB 604 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Aafedt, Cohen, Ellison, Gilbert, Guthrie, Kasten, Lee, T. Nelson, Owens.

Total 9

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: Bardanouve, Schye.

Total 2

HB 606 - Representative Grady moved HB 606 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Cohen, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 78

Noes: Bachini, Clark, Cobb, Connelly, Davis, Ellison, Gervais, Gilbert, Good, Hanson, Harper, Hayne, Marks, Moore, R. Nelson, Peck, Wallin, Zook.

Total 18

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: Hansen.

Total 1

HB 614 - Representative Wyatt moved HB 614, second reading copy, be amended as follows:

1. Page 10, line 12.

Strike: "1 year"

Insert: "2 years"

Amendment passed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: Addy, Kadas.

Total 2

Representative Wyatt moved HB 614, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Hansen, Harper, Hayne, Iverson, Johnson, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 79

Noes: Campbell, Clark, Giacometto, Grinde, Guthrie, Hannah, Hanson, Hoffman, Kasten, Lee, Peterson, Swift, Swysgood, Thoft, Zook.

Total 15

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: Ellison, Kadas, Ramirez.

Total 3

HB 631 - Representative Gervais moved consideration of HB 631 be passed for the day. Motion carried.

HB 642 - Representative Strizich moved HB 642 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Cody, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Clark, Cobb, Cohen, Gilbert, Guthrie, Kasten, Knapp, Whalen.
Total 8

Excused: Blotkamp, Harrington, Spring.
Total 3

Absent or not voting: Grady.
Total 1

HB 650 - Representative Swysgood moved HB 650 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Blotkamp, Harrington, Spring.
Total 3

Absent or not voting: None.
Total 0

HB 653 - Representative Harper moved consideration of HB 653 be passed for the day. Motion carried.

HB 654 - Representative Russell moved HB 654 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, Driscoll, Elliott, Gervais, Hansen, Harper, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee,

McCormick, McDonough, Menahan, Moore, L. Nelson, O'Connell, O'Keefe, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Steppler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 48

Noes: Aafedt, Boharski, D. Brown, Campbell, Clark, Cobb, Cody, DeBruycker, DeMars, Ellison, Eudaily, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Keller, Knapp, Marks, Mercer, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Stang, Swift, Swysgood, Thoft, Thomas, Zook.
Total 47

Excused: Blotkamp, Harrington, Spring.
Total 3

Absent or not voting: Gilbert, Kasten.
Total 2

HB 661 - Representative Rice moved HB 661 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Blotkamp, Harrington, Spring.
Total 3

Absent or not voting: Ellison.
Total 1

Representative Menahan moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Marks moved the adoption of the committee report. Report adopted. (76-12)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 301 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Elliott, Eudaily, Gervais, Good, Gould, Grady, Guthrie, Hansen, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, McCormick, McDonough, Menahan,

Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, Rice, Russell, Schye, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 68

Noes: Aafedt, Boharski, Cobb, DeBruycker, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Kasten, Koehnke, Lee, Owens, Patterson, Peck, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Swift, Swysgood, Thoft, Thomas.

Total 28

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: Marks.

Total 1

HB 324 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Campbell.

Total 1

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: Westlake.

Total 1

HB 364 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cody.

Total 1

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: Marks, R. Nelson, Phillips.

Total 3

HB 413 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 93

Noes: Clark, Good, Wyatt.

Total 3

Excused: Harrington, Spring.

Total 2

Absent or not voting: Blotkamp, Spaeth.

Total 2

HB 458 passed as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Grady, Guthrie, Hannah, Hansen, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Peck, Peterson, Phillips, Raney, Ream, Roth, Russell, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 75

Noes: Bachini, Boharski, Bradley, Cody, Daily, Gilbert, Good, Gould, Grinde, Hanson, Harper, Kasten, Kilpatrick, Marks, O'Connell, Pavlovich, Quilici, Ramirez, Rehberg, Rice, Schye, Stickney, Wyatt.

Total 23

Paired: Blotkamp, Aye; Quilici, No.

Excused: Harrington, Spring.

Total 2

Absent or not voting: None.

Total 0

HB 464 passed as follows:

Ayes: Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis,

DeBruycker, DeMars, Driscoll, Elliott, Gervais, Glaser, Grinde, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Simpkins, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Wallin, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 64

Noes: Aafedt, Bachini, Campbell, Clark, Cobb, Compton, Ellison, Eudaily, Giacometto, Gilbert, Good, Gould, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Koehnke, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Smith, Swift, Swysgood, Thoft, Thomas, Zook.

Total 35

Paired: Blotkamp, Harrington, Spring, Ayes; Gilbert, Peterson, Simon, Noes.

Excused: None.

Total 0

Absent or not voting: Grady.

Total 1

HB 636 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Blotkamp, Harrington, Spring.

Total 3

Absent or not voting: DeBruycker.

Total 1

MOTIONS

Representative Gervais moved HB 631 be taken from the second reading board and rereferred to the Committee on Human Services and Aging. Motion carried.

Representative Boharski moved his vote on HB 468, second reading, be recorded as yes. Motion carried.

Representative Ream moved he be allowed to change his vote on HB 65, second reading, from no to yes. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/18/89

Correctly printed: HB 511, HB 536, HB 582, HB 591, HB 621,
HB 690, HB 711, HB 729, HB 733.

Correctly enrolled: HB 61, HB 136, HB 138, HB 230, HB 275.

Examined by the sponsors and found to be correct:

HB 61 - Grady

HB 136 - DeMars

HB 138 - DeMars

HB 230 - Kimberley

HB 275 - L. Nelson

Signed by the Speaker at 4:00 p.m., 2/18/89: HB 61, HB 136, HB 138,
HB 230, HB 275.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Bachini, Chairman):

2/18/89

HB 509, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "PROPERTY"

Insert: "LAND OR TO LANDOWNERS ADJACENT TO RAIL-
ROAD RIGHT-OF-WAY LAND"

2. Title, line 6.

Following: "PROPERTY"

Insert: "LAND"

3. Page 1, line 14.

Page 2, lines 9, 15, and 17.

Page 3, lines 1 and 11.

Page 4, line 1.

Strike: "property"

Insert: "land"

4. Page 1, line 15.

Strike: "property"

Insert: "land or landowners adjacent to the land"

5. Page 2, line 11.

Strike: "; or"

6. Page 2, lines 12 and 13.

Strike: line 12 in its entirety through "party" on line 13

7. Page 2, lines 14 and 15.

Following: "lease"

Strike: ", license, or permit"

8. Page 2, line 18.

Strike: "\$7,500"

Insert: "\$15,000"

9. Page 2.

Following: line 18

Insert: "(4) 'Prospective buyer' means the leaseholder or the land-
owner adjacent to the railroad right-of-way land being offered for
sale."

Re-number: subsequent subsections

10. Page 2, line 22.

Strike: "real property"

Insert: "land"

11. Page 3, line 2.

Strike: "property"

Insert: "land that the leaseholder leases"

12. Page 3, line 3.

Following: "value."

Insert: "If there is no leaseholder, the railroad shall extend the written offer to the landowner adjacent to the right-of-way land being offered for sale."

13. Page 3, line 4.

Strike: "Leaseholders"

Insert: "Prospective buyers"

14. Page 3, line 6.

Strike: "an interested leaseholder"

Insert: "a prospective buyer"

15. Page 3, lines 12 and 18.

Strike: "leaseholder"

Insert: "prospective buyer"

16. Page 3, line 15.

Following: "another"

Insert: "entity"

SECOND AMENDMENT:

1. Page 2, line 15.

Following: "~~permit~~"

Insert: "or permit"

And, as amended, do pass. Report adopted.

HB 616, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "\$36"

Insert: "\$32"

2. Page 1, line 16.

Strike: "\$64"

Insert: "\$56"

3. Page 2, line 13.

Strike: "\$36"

Insert: "\$32"

Strike: "\$64"

Insert: "\$56"

And, as amended, do pass. Report adopted.

HB 675, introduced bill, be amended as follows:

1. Title, line 9.

Following: "POLLINATORS;"

Insert: "CLARIFYING THE STATUS OF THE ALFALFA LEAF-CUTTING BEE COMMITTEE; PROVIDING FOR STAGGERED COMMITTEE MEMBER TERMS;"

2. Title, line 9.

Following: "SECTIONS"

Insert: "2-15-3005 and"

3. Page 1.

Following: line 12

Insert: "Section 1. Section 2-15-3005, MCA, is amended to read:

"2-15-3005. Alfalfa leaf-cutting bee ~~advisory~~ committee — membership — compensation. (1) There is an alfalfa leaf-cutting bee ~~advisory~~ committee consisting of five members appointed by the governor. The committee is attached to the department for administrative purposes only as prescribed in 2-15-121.

(2) The committee consists of:

(a) three members from the Montana alfalfa seed association;

(b) one member from the department; and

(c) one member from the cooperative extension service at Montana state university.

(3) A list of nominees for appointment to the committee may be submitted to the governor by the Montana alfalfa seed association, the department, and the cooperative extension service for the respective appointments from each entity.

(4) Appointments to the committee are for 3 years. Appointments from the Montana alfalfa seed association are for staggered 3-year terms. Members may be reappointed at the discretion of the governor.

(5) Unless he is a full-time salaried officer or employee of this state or of a political subdivision of this state, each member is entitled to be paid from the enterprise fund established in 80-6-1109 compensation of \$25 for each day in which he is engaged in the transaction of the official business of the committee, together with expenses as provided for in 2-18-501 through 2-18-503."

Renumber: subsequent sections

4. Page 1, line 25.

Strike: "advisory"

5. Page 2, line 7.

Following: "source."

Insert: "A situation may include drought, flood, hail damage, and other similar situations as defined by committee rule."

6. Page 2, line 22.

Following: "organism"

Insert: "or insect"

7. Page 2, line 23.

Following: "bees"

Insert: "or nests"

8. Page 6, lines 3 and 4.

Following: "destroyers,"

Insert: "and"

Following: "count"

Strike: ", and sex ratio"

9. Page 6, line 13.

Following: "shall"

Insert: "by rule"

10. Page 10, line 21.

Following: "shall"

Insert: "by rule"

11. Page 11, line 11.

Following: "fee"

Insert: "set by committee rule"

12. Page 11, lines 14 and 15.

Following: "material"

Strike: "less than"

Following: "deep"

Insert: "or less"

13. Page 12, lines 19 through 21.

Following: "pollinate." on line 19

Strike: the remainder of line 19 through "growers." on line 21

14. Page 12, line 23.

Following: "committee"

Insert: "by June 1 and"

15. Page 12, line 24.

Following: "material."

Insert: "Once permission is granted, the custom pollinator qualifies as a registered bee grower within that area for as long as he pollinates in that area. If permission is denied, the requestor may petition the committee to determine if the denial was based on management practices. This determination must be made by the committee in accordance with Title 2, chapter 4, part 6."

16. Page 13, line 3.

Strike: "report"

Insert: "give proof of"

17. Page 13, line 6.

Following: "permission."

Insert: "Notice must be given to the department prior to movement."

And, as amended, do pass. Report adopted.

HB 701, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

2/18/89

HB 254, introduced bill, be amended as follows:

1. Title, line 4.

Following: "TO"

Insert: "ALLOW A SCHOOL DISTRICT TO"

2. Title, line 5.

Strike: "PUBLIC SCHOOLS"

Insert: "THE SCHOOLS OF THE DISTRICT"

3. Page 1, lines 8 and 9.

Following: "allegiance"

Strike: "required"

Following: " "

Strike: "The" on line 8 through "schools" on line 9

Insert: "The trustees of school districts"

4. Page 1, line 9.

Strike: "must include"

Insert: "may require"

5. Page 1, line 11.

Following: "America."

Strike: "The"

Insert: "If required, the"

6. Page 1, line 15.

Following: "student"

Insert: "or teacher"

7. Page 1, line 16.

Following: "if"

Strike: "his religious"

Insert: "the student's or teacher's"

And, as amended, do pass. Report adopted.

HB 518, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "IN EXCESS OF A CERTAIN AMOUNT"

2. Pages 1 through 4.

Strike: everything following the enacting clause

Insert: "Section 1. Section 20-15-310, MCA, is amended to read:

"20-15-310. Appropriation. It is the intent of the legislature that all community college spending, other than from restricted funds or funds generated by an optional, voted levy, be ~~controlled under gov-~~
~~erned by the provisions of this part and the state general appropri-~~
~~tions act. The unrestricted budget state general fund appropriation~~
~~shall must~~ be based on a calculated dollar amount per full-time equivalent student. The student count may not include those enrolled in community service courses as defined by the board of regents."

Section 2. Section 20-15-312, MCA, is amended to read:

"20-15-312. Calculation and approval of operating budget. (1) Annually by June 15, the board of trustees of a community college shall submit an operating budget to the board of regents for their review. The operating budget of the community college ~~shall must~~ be financed in the following manner:

(a) ~~General fund appropriation.~~ The general fund appropriation ~~shall must~~ represent a specific percentage of the ~~total unrestricted budget authorized by the legislature and approved by the regents~~ cal-
culated dollar amount per full-time equivalent student. This percent-
age shall must be specified in the appropriations act appropriating funds to the community colleges for each biennium.

(b) ~~An estimate of revenues to be generated by student tuition and fees, and all other unrestricted income, revenues, or balances shall be added to the state general fund appropriation and the total sub-~~
~~tracted from the total unrestricted budget. The difference shall be~~
~~obtained by a mandatory levy. The mandatory levy amount must~~

represent a specific percentage of the calculated dollar amount per full-time equivalent student. This percentage must be specified for each community college by the board of trustees of the district and approved by the board of regents.

(c) The funding obtained in ~~subsection~~ subsections (a) and (b) of subsection (1) plus the revenue derived from tuition and fee schedules approved by the board of regents and unrestricted income from any other source is the amount of the unrestricted budget. A detailed expenditure schedule for the unrestricted budget ~~shall~~ must be submitted to the board of regents for their review and approval.

(d) The amount estimated to be raised by the voted levy ~~shall~~ must be detailed separately in an expenditure schedule.

(e) The spending of each restricted funding source shall be detailed separately in an expenditure schedule.

(f) The expenditure schedules provided in subsections (c), (d), and (e) of subsection (1) ~~shall~~ must represent the total operating budget of the community college.

~~(g) If revenues to the unrestricted budget exceed estimates, the excess shall be used to reduce the mandatory levy in the subsequent year.~~

(2) The board of regents shall review the proposed total operating budget and all its components and make any changes it determines necessary. A The board of trustees of a community college district shall operate within the limits of the operating budget approved by the board of regents."

NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 1989."

And, as amended, do pass. Report adopted.

HB 561, introduced bill, be amended as follows:

1. Page 2, line 5.

Following: "rights"

Insert: "that do not exceed 2 contract years"

And, as amended, do pass. Report adopted.

HB 597, introduced bill, be amended as follows:

1. Title, line 5.

Following: "POLICY"

Insert: "ON ASSESSMENT"

2. Title, line 6.

Strike: "TESTING"

3. Title, line 8.

Strike: "HOME SCHOOL"

Insert: "NONPUBLIC SCHOOL THAT IS NOT ACCREDITED"

Following: "REQUIRING"

Strike: "A HOME"

Insert: "SUCH A"

4. Page 1, line 14.

Strike: "home"

Insert: "nonaccredited nonpublic"

5. Page 1, line 16.

Following: "policy on"

Insert: "assessment for"

Following: "placement"

Strike: "testing"

6. Page 1, lines 18 and 19.

Following: "was a"

Strike: remainder of line 18 through line 19

Insert: "nonpublic school that is not accredited;"

7. Page 1, line 22.

Following: "specific"

Insert: "assessment for"

Following: "placement"

Strike: "test or tests"

8. Page 2, line 1.

Following: "of the"

Insert: "assessment for"

Following: "placement"

Strike: "testing"

9. Page 6, line 4.

Following: "policy on"

Insert: "assessment for"

10. Page 6, line 5.

Strike: "testing"

11. Page 6, line 6.

Strike: "home school"

Insert: "nonpublic school that is not accredited,"

And, as amended, do pass. Report adopted.

HB 685, introduced bill, be amended as follows:

1. Title, line 6.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

2. Page 1, line 13.

Following: "certified"

Insert: "residential and commercial"

3. Page 1, line 15.

Following: "Places."

Insert: "The abatement does not apply to the tax on personal property."

4. Page 2, lines 23 through 25.

Following: "that"

Strike: remainder of line 23 through "that" on line 25

5. Page 6.

Following: line 24

Insert: "NEW SECTION. Section 10. Applicability. [This act] applies to taxable years beginning after December 31, 1989."

And, as amended, do pass. Report adopted.

HJR 20, do pass. Report adopted.

Adverse Committee Report

HB 9, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "PROPOSE OR"
2. Title, line 8.
Strike: "TO APPROVE AND"
3. Page 2, line 11.
Strike: "approve and to"
4. Page 2, line 16.
Strike: "propose and"
5. Page 2, lines 17 and 18.
Following: "legislature"
Strike: "approves" on line 17 through "and" on line 18

And, as amended, do not pass.

HUMAN SERVICES AND AGING (Hansen, Chairman):

2/18/89

HB 684, introduced bill, be amended as follows:

1. Page 1, line 23.
Strike: "to"
Insert: "toward"
2. Page 2, line 6.
Following: "source"
Insert: "that is disinfected"
3. Page 5, line 9.
Following: "mineralization,"
Insert: "activated carbon or particulate filtration,"
4. Page 5, lines 10 through 12.
Strike: "i" on line 10 through "(b)" on line 12
5. Page 5, line 12.
Strike: "equivalent"
Insert: "acceptable"
6. Page 12, lines 7 through 9.
Strike: "i" on line 7 through "(ii)" on line 9
7. Page 12, line 9.
Strike: "equivalent"
Insert: "acceptable"

And, as amended, do pass. Report adopted.

HB 688, introduced bill, be amended as follows:

1. Page 2, line 13.
Strike: "logging"
Insert: "recordkeeping"
2. Page 3, line 23.
Strike: "logging"
Insert: "recordkeeping"
3. Page 5, line 19.

Strike: "logging"

Insert: "recordkeeping"

And, as amended, do pass. Report adopted.

HB 732, introduced bill, be amended as follows:

1. Page 2, lines 6 and 7.

Following: "certificate" on line 6

Strike: remainder of line 6 through "attended" on line 7

2. Page 3, line 4.

Following: "of"

Insert: "any"

Following: "information"

Insert: "on the certificate form that is"

3. Page 3, line 6.

Following: "death"

Insert: "or other significant factors contributing to the cause of death"

4. Page 3, line 7.

Strike: "has"

Insert: "have"

Following: "established"

Insert: ", unless, after the exercise of reasonable diligence, a cause of death cannot be established"

5. Page 3, line 9.

Following: "fetal"

Insert: "death"

And, as amended, do pass. Report adopted.

JUDICIARY (D. Brown, Chairman):

2/18/89

HB 57, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Strike: "GROSS" on line 7 through "ACTS" on line 8

Insert: "FAILURE TO EXERCISE THE DEGREE OF CARE AND SKILL ORDINARILY EXERCISED IN A LIKE CASE UNDER A SIMILAR EMERGENCY SITUATION IN THE SAME OR A SIMILAR LOCALITY"

2. Page 1, lines 21 and 22.

Strike: "gross negligence" on line 21 through "assistance" on line 22

Insert: "an act or omission that fails to meet the degree of care and skill ordinarily exercised by reputable members of the health care provider's profession, occupation, or association in a like case under a similar emergency situation in the same or a similar locality"

3. Page 2, lines 7 and 14.

Strike: "."

Insert: "and:"

4. Page 2, lines 8 and 15.

Following: lines 7 and 14

Insert: "(i) is a condition the provider would not ordinarily attempt to treat but would refer the patient to another provider if the patient did not require immediate services; or

(ii) is a condition of which the patient is aware and the patient had the time to consult a provider before immediate services were required but did not do so."

5. Page 2, lines 9 and 10.

Strike: ", whether" on line 9 through "room," on line 10

And, as amended, do pass. Report adopted.

HB 169, introduced bill, be amended as follows:

1. Title, line 7.

Following: "EXPUNGED;"

Insert: "PROVIDING FOR NOTICE OF DISMISSAL; RESTRICTING ACCESS TO THE RECORDS;"

2. Page 1, lines 19 and 20.

Following: "dismissed." on line 19

Strike: "Upon dismissal of the charges,"

3. Page 1, lines 21 and 22.

Following: "~~expunge~~" on line 21

Strike: "the defendant's record may not be expunged."

4. Page 1, line 25.

Following: "~~expunged.~~"

Insert: "A copy of the order of dismissal must be sent to the prosecutor and the department of justice, accompanied by a form prepared by the department of justice and containing identifying information about the defendant. After the charge is dismissed all records and data relating to the charge are confidential criminal justice information as defined in 44-5-103 and public access to the information can only be obtained by district court order upon good cause shown."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman):

2/18/89

HB 704, introduced bill, be amended as follows:

1. Title, line 6.

Following: "FILED"

Insert: "BY OCTOBER 1, 1994, OR"

2. Title, lines 8 through 12.

Strike: "; AND" on line 8 through "DISTRICT" on line 12

3. Page 1, line 16.

Strike: "(1)"

4. Page 1, line 18.

Following: "commenced"

Insert: "by October 1, 1994, or"

5. Page 1, line 20.

Following: "district"

Insert: ", if the district was created after October 1, 1989"

6. Page 1, line 21 through page 2, line 3.

Strike: subsection (2) in its entirety

7. Page 2, line 5.

Strike: "(1)"

8. Page 2, line 7.

Following: "commenced"

Insert: "by October 1, 1994, or"

9. Page 2, line 8.

Following: "district"

Insert: ", if the district was created after October 1, 1989"

10. Page 2, lines 9 through 16.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/18/89

HB 672, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AN INDIVIDUAL DISPOSING"

Insert: "THE DISPOSAL"

2. Title, line 7.

Strike: "THE"

Insert: "AN"

3. Title, line 8.

Following: "OPERATIONS"

Insert: "OR WITH A CORPORATION'S AGRICULTURAL OR FOREST PRODUCTS OPERATIONS"

4. Page 1, line 15.

Following: "(1)"

Insert: "(a)"

5. Page 1, line 22.

Following: "hazard"

Insert: "or violate laws governing the disposal of hazardous or deleterious substances"

6. Page 1.

Following: line 22

Insert: "(b) This part may not be construed to prohibit a corporation from disposing of its own solid waste that was generated in reasonable association with its agricultural or forest products operations upon land owned or leased by that corporation as long as the disposal does not create a nuisance or public health hazard or violate laws governing the disposal of hazardous or deleterious substances."

7. Page 1, line 23.

Strike: "exclusion"

Insert: "exclusions"

8. Page 1, line 24.

Strike: "does"

Insert: "do"

9. Page 1, line 25.

Strike: "which"

Insert: "that"

And, as amended, do pass. Report adopted.

HB 678, do pass. Report adopted.

HB 679, introduced bill, be amended as follows:

1. Title, lines 5 through 7.

Following: "TO" on line 5

Strike: "MEET" on line 5 through "ACRES" on line 7

Insert: "RECLAIM LANDS DISTURBED BY THE OPERATIONS
AND TO POST A PERFORMANCE BOND EQUAL TO THE
COST TO THE STATE OF RECLAIMING THE DISTURBED
LANDS"

2. Title, lines 7 through 9.

Following: "ACRES;" on line 7

Strike: remainder of line 7 through "DEGREES;" on line 9

3. Page 4, line 25 and page 5, line 1.

Strike: ", or 2 acres if the operations are placer or dredge mining,"

4. Page 5, lines 4 and 5.

Strike: ", or 2 acres if the operations are placer or dredge mining,"

5. Page 6, line 24.

Strike: "The"

Insert: "Except as provided in subsection (3), the"

6. Page 7, line 6.

Strike: ","

Insert: "and"

7. Page 7, lines 7 and 8.

Strike: ", and the construction of fences or barriers around opencuts
with walls steeper than 45 degrees"

8. Page 7, line 8.

Strike: "and"

9. Page 7, line 11.

Following: "department"

Strike: "."

Insert: "; and"

(d) if the small miner's operations are placer or dredge mining, that
he shall reclaim all land disturbed by the operations to comparable
utility and stability as that of adjacent areas."

10. Page 8, line 12.

Following: "exemption."

Insert: "(3) A small miner whose operations are placer or dredge
mining shall post a performance bond equal to the cost to the state
of reclaiming the disturbed land."

And, as amended, do pass. Report adopted.

HB 680, do pass. Report adopted.

HB 707, introduced bill, be amended as follows:

1. Title, line 7.

Following: "RECREATION"

Insert: "DURING CRITICAL LOW FLOW PERIODS"

2. Page 1.

Following: line 14

Insert:

"STATEMENT OF INTENT"

A statement of intent is provided for this bill in order to give additional guidance to the board of natural resources and conservation

and the involved state agencies concerning the review and processing of lease applications for the purpose of maintaining or enhancing stream flows for fish, wildlife, or recreation.

The legislature intends that the board designate stream reaches eligible for water leasing in areas where leasing is necessary or likely to be necessary to enhance or maintain fish, wildlife, or recreation. Upon receipt of a list of stream reaches from the department of fish, wildlife, and parks, the board shall act expeditiously to designate eligible stream reaches. However, the legislature also encourages the board to select stream reaches where leasing has a good chance of success and where all interests may be satisfied.

The legislature also intends that the review process for lease applications be thorough and provide ample opportunity for consideration and input by concerned persons. As required in [section 4], the process should involve notice and opportunity for objections and hearing in the same manner provided for proposed changes in appropriation rights. The legislature contemplates that the department of fish, wildlife, and parks will meet with appropriators along each designated stream reach to assess and consider any concerns before filing applications for lease authorizations. The legislature also encourages the department of fish, wildlife, and parks to assemble lease applications for filing at the same time to minimize costs to potential objectors. Moreover, the legislature anticipates that the department of natural resources and conservation will review the proposed leases for a single stream reach in one proceeding, though the potential for another set of lease applications at a future date is recognized.

The accurate identification of the stream reach in both the application and lease authorization is critical to a successful leasing program. Upon issuance of a lease authorization with an identified stream reach, the legislature intends that the entire leased appropriation may be protected to the extent provided under Title 85, chapter 2, in any part of the stream reach that is above the lessor's point of diversion. However, only the historical consumptive use of the right, or a smaller amount if specified in the lease authorization by the department of natural resources and conservation, may be protected in any part of the stream reach that is below the lessor's point of diversion. Finally, the legislature intends for the lessor to be responsible for taking action, if necessary, to protect the instream flow amount specified in the lease authorization, though the lessor and lessee may specify otherwise by contract.

From a broad policy perspective, the legislature desires to emphasize that the department of natural resources and conservation should consider and, if potentially feasible, recommend supplemental or alternative strategies that provide long-term solutions to problems that are not or probably will not be addressed adequately by water leasing in the board-designated stream reaches. These strategies may include storage enhancement or development and recharge from ground water sources."

3. Page 2, line 8.
Following: "uses;"
Strike: "and"

4. Page 2, line 12.
Following: "85-2-141"

Strike: “.”

Insert: “; and”

5. Page 2.

Following: line 12

Insert: “(c) a use of water by the department of fish, wildlife, and parks pursuant to a lease authorized under [section 4].”

6. Page 11, line 21.

Following: “recreation”

Insert: “during critical low flow periods”

7. Page 12, line 2.

Following: “recreation”

Insert: “during critical low flow periods”

8. Page 12, line 12.

Following: “However,”

Insert: “of the amount leased,”

9. Page 14, line 4.

Following: “recreation”

Insert: “during critical low flow periods”

10. Page 14, line 19.

Following: “fund”

Insert: “exclusively”

11. Page 14, line 21.

Following: “recreation”

Insert: “unless expenditure for a different purpose is authorized pursuant to 87-1-614”

And, as amended, do pass. Report adopted.

HB 715, introduced bill, be amended as follows:

1. Page 2, line 25.

Strike: “50”

Insert: “25”

2. Page 6, line 16.

Strike: “water course”

Insert: “watercourse”

3. Page 6, line 24.

Strike: “50”

Insert: “25”

4. Page 7, line 13.

Strike: “[section 7]”

Insert: “[sections 1 through 7]”

5. Page 9, line 2.

Strike: “[section 7]”

Insert: “[sections 1 through 7]”

6. Page 9, lines 5 and 6.

Strike: “and” on line 5 through “operator” on line 6

7. Page 11, line 8.

Following: “and”

Insert: “the”

8. Page 11, line 15.

Strike: "After"

Insert: "If, after"

Following: "hearing,"

Strike: "if"

9. Page 12, line 2.

Strike: "(6)"

Insert: "(4)"

Strike: "(5)"

Insert: "(3)"

10. Page 12, lines 5 through 14.

Strike: subsection (7) in its entirety

And, as amended, do pass. Report adopted.

HB 727, introduced bill, be amended as follows:

1. Title, line 17.

Following: "PROVIDING"

Insert: "AN APPLICABILITY DATE AND"

2. Page 2.

Following: line 7

Insert: "(4) 'Geotechnical boring' means a hole drilled to determine the composition, stability, density, movement, pressure, stratigraphy, or other physical properties of soil or rock."

Renumber: subsequent subsections

3. Page 2, line 9.

Strike: "certain purposes, including"

4. Page 2, lines 15 and 16.

Strike: "installed" on line 15 through "engineer and" on line 16

Insert: " "

Following: "holes"

Insert: " "

5. Page 2, line 18.

Following: "fields"

Strike: " "

Insert: "²or"

Following: "lagoons"

Strike: "²"

6. Page 2, line 19.

Strike: "both"

Insert: "to investigate shallow, nonpotable, seasonal groundwater"

7. Page 3, line 21.

Strike: "cosntructor's"

Insert: "constructor's"

8. Page 13.

Following: line 11

Insert: "NEW SECTION. Section 10. Applicability. [This act] applies only to monitoring wells drilled on or after [the effective date of this act]."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HJR 29, do pass. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 741, introduced by Harper, Vincent, Yellowtail, Connelly, Daily, Eck, Menahan, Grady, Whalen, Strizich, Brooke, Kimberley, Kadas, Hansen, Moore, Davis, Koehnke, Pavlovich, Kilpatrick, McCormick, Ream, Harrington, referred to Committee on Human Services and Aging

SPECIAL ORDERS OF THE DAY

The following sponsor was removed from HB 468: R. Nelson.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Vincent introduced this week's pages:

Michael Brooke, Butte
Keely Burns, Billings
Britt Cottrill, Helena
Megan Cox, Billings
Andy Hannah, Billings
Alex Jackson, Missoula
Rebecca Knapp, Hysham
Jeff Mattson, Billings
Mary Solberg, Dodson

Representative Menahan moved the House adjourn until 9:00 a.m., Monday, February 20, 1989.

Motion carried.

House adjourned at 6:53 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

FORTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 20, 1989

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Lee. Pledge of Allegiance to the Flag.

Roll call. All members present except Cody, Harrington, and Moore, excused. Quorum present.

Representative Harper moved the House recess until 10:00 a.m. Motion carried.

House recessed at 9:12 a.m.

House reconvened at 10:17 a.m., Mr. Speaker in the Chair.

Representative Moore present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/20/89

Correctly printed: HB 57, HB 169, HB 254, HB 291, HB 496, HB 509, HB 518, HB 561, HB 592, HB 597, HB 600, HB 616, HB 626, HB 652, HB 668, HB 670, HB 678, HB 679, HB 680, HB 683, HB 684, HB 688, HB 701, HB 706, HB 715, HB 732, HB 734, HJR 20, HJR 29.

Correctly engrossed: HB 84, HB 234, HB 317, HB 383, HB 393, HB 399, HB 422, HB 446, HB 465, HB 477, HB 482, HB 483, HB 486, HB 495, HB 499, HB 504, HB 516, HB 521, HB 534, HB 540, HB 542, HB 543, HB 554, HB 558, HB 568, HB 569, HB 571, HB 577, HB 581, HB 593, HB 596, HB 605, HB 610, HB 611, HB 620, HB 646, HB 651, HB 657, HB 658, HB 667, HB 677, HB 708, HJR 9, HJR 18, HJR 23.

Delivered to the Governor for his approval at 9:50 a.m., 2/20/89: HB 4, HB 21, HB 107, HB 195.

Delivered to the Governor for his approval at 3:00 p.m., 2/20/89: HB 61, HB 136, HB 199, HB 260.

HUMAN SERVICES AND AGING (Hansen, Chairman):

2/18/89

HB 686, do pass. Report adopted.

ADVERSE COMMITTEE REPORTS

Representative Thomas excused at this time.

HB 9 - Representative Schye moved the 2/18/89 adverse committee report on HB 9 be adopted.

Representative Peck made a substitute motion the adverse committee report be rejected and HB 9 be printed and placed on second reading. Motion failed as follows:

Ayes: Aafedt, Bachini, Bardanouve, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen, Zook.

Total 55

Noes: Addy, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, Nisbet, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Wyatt, Mr. Speaker.

Total 42

Paired: Eudaily, Thomas, Ayes; Harrington, Menahan, Noes.

Excused: Cody.

Total 1

Absent or not voting: O'Connell, O'Keefe.

Total 2

Representative Thomas present at this time.

Thereupon, the motion to adopt the adverse committee report failed as follows:

Ayes: Addy, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.

Total 45

Noes: Aafedt, Bachini, Bardanouve, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spring, Steppler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 54

Paired: Harrington, Aye; Eudaily, No.

Excused: Cody.

Total 1

Absent or not voting: None.

Total 0

HB 629 - Representative Pavlovich moved the 2/17/89 adverse committee report on HB 629 be adopted. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bachini, Clark, Giacometto, Gould, Grady, Roth.
Total 6

Excused: Cody, Harrington.
Total 2

Absent or not voting: Spring.
Total 1

HB 696 - Representative Pavlovich moved the 2/17/89 adverse committee report on HB 696 be adopted.

Representative Whalen made a substitute motion the adverse committee report be rejected and HB 696 be printed and placed on second reading. Motion failed as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Brooke, J. Brown, Cobb, Cohen, Connelly, Darko, Davis, Elliott, Gervais, Giacometto, Good, Hannah, Hansen, Hoffman, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Moore, L. Nelson, O'Keefe, Pavlovich, Peck, Raney, Ream, Rice, Roth, Russell, Simpkins, Squires, Stang, Stepler, Strizich, Whalen.
Total 40

Noes: Aafedt, Addy, Boharski, Bradley, Campbell, Clark, Cocchiarella, Compton, Daily, DeBruycker, DeMars, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hanson, Harper, Hayne, Iverson, Johnson, Kasten, Keller, Lee, Marks, McDonough, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Schye, Simon, Smith, Spaeth, Spring, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 55

Excused: Cody, Harrington.
Total 2

Absent or not voting: D. Brown, Driscoll, Mercer.
Total 3

Thereupon, the adverse committee report was adopted as follows:

Ayes: Aafedt, Addy, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Compton, Daily, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Iverson, Johnson, Kasten, Keller, Lee, Marks, McDonough, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Schye, Simon, Smith, Spaeth, Spring, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 61

Noes: Bachini, Bardanouve, Blotkamp, Brooke, Campbell, Cobb, Cohen, Connelly, Darko, Davis, Elliott, Gervais, Giacometto, Good, Hannah, Hoffman, Kilpatrick, Kimberley, Knapp, Koehnke, McCormick, Menahan, Moore, L. Nelson, Pavlovich, Peck, Raney, Ream, Rice, Russell, Simpkins, Squires, Stang, Stepler, Whalen.
Total 35

Excused: Cody, Harrington.
Total 2

Absent or not voting: Kadas, Mercer.

Total 2

HB 705 - Representative Pavlovich moved the 2/17/89 adverse committee report on HB 705 be adopted.

Representative Hannah made a substitute motion the adverse committee report be rejected and HB 705 be printed and placed on second reading.

Representative Giacometto moved the previous question. Motion carried.

Thereupon, the substitute motion carried as follows:

Ayes: Bachini, Bardanouve, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Hannah, Hansen, Hanson, Harper, Hoffman, Iverson, Kadas, Kilpatrick, Knapp, Koehnke, Marks, Menahan, Mercer, Moore, L. Nelson, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Rice, Russell, Schye, Simpkins, Spaeth, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Whalen, Zook.

Total 60

Noes: Aafedt, Addy, Blotkamp, Bradley, Campbell, Davis, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hayne, Johnson, Kasten, Keller, Kimberley, Lee, McCormick, McDonough, R. Nelson, T. Nelson, Nisbet, Owens, Phillips, Ramirez, Rehberg, Roth, Simon, Smith, Spring, Stickney, Wallin, Westlake, Wyatt, Mr. Speaker.

Total 38

Paired: Thoft, Aye; Simon, No.

Excused: Cody, Harrington.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Representative Mercer moved the rules be suspended to allow SB 446 to be transmitted from the Senate to the House after the 45-day transmittal deadline. Motion carried.

Representative Marks moved HB 681 be taken from the Committee on Rules and printed and placed on second reading this legislative day. Motion failed. (48-50)

Representative Harper moved the House rule SB 203 and SB 419 to be revenue bills for the purpose of transmittal. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 663 - Representative J. Brown moved HB 663 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Aafedt, Grinde, Lee, Peterson, Rice, Swift.

Total 6

Excused: Cody, Harrington.

Total 2

Absent or not voting: None.

Total 0

HB 682 - Representative O'Keefe moved HB 682 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Aafedt, Addy, DeBruycker, Kasten, Keller.

Total 5

Excused: Cody, Harrington.

Total 2

Absent or not voting: Marks.

Total 1

HB 691 - Representative Simpkins moved HB 691 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney,

Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cody, Harrington.

Total 2

Absent or not voting: Marks.

Total 1

HJR 21 - Representative Spaeth moved HJR 21 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cody, Harrington.

Total 2

Absent or not voting: Marks.

Total 1

HJR 24 - Representative Pavlovich moved HJR 24 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cody, Harrington.

Total 2

Absent or not voting: Cohen, Kadas.

Total 2

Representative Harper moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (90-1)

Representative Harper moved the House recess until 1:00 p.m.

Motion carried.

House recessed at 11:45 a.m.

House reconvened at 1:00 p.m., Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/20/89

Correctly enrolled: HB 17, HB 37, HB 64, HB 91, HB 137.

Examined by the sponsors and found to be correct:

HB 17 - Squires

HB 37 - Cohen

HB 64 - Eudaily

HB 91 - Roth

HB 137 - DeMars

MOTIONS

Representative Moore moved HB 539 be taken from the table in the Committee on Business and Economic Development and be printed and placed on second reading. Motion failed. (56-40)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved the House resolve itself into a Committee of the Whole for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Schye assumed the Chair at this time.

HB 70 - Representative Driscoll moved HB 70 do pass.

Representative Ramirez made a substitute motion to revert to the body of the bill for purpose of amendment. Motion carried.

Representative Ramirez moved HB 70, second reading copy, be amended as follows:

1. Page 4, line 15.

Following: "PART 1,"

Insert: "OR ANY OTHER SIMILAR LAW IN ANY OTHER STATE,"

2. Page 5.

Following: line 13

Insert: "(e) any information needed to determine if the person has been adjudicated seriously mentally ill or has been diagnosed to have a chronic mental disorder or chronic serious mental illness;"

Renumber: subsequent subsections

3. Page 5, line 25.

Strike: "and"

4. Page 6, line 2.

Strike: "."

Insert: "; and"

5. Page 6.

Following: line 2

Insert: "(j) a written consent and waiver for the release of medical or court records and information necessary to determine if the person is disqualified from receiving a permit under subsection (3)(f)."

6. Page 6, line 23.

Following: "applicant."

Insert: "The sheriff or chief of police may also obtain medical or court records or information necessary to determine if the person is disqualified from receiving a permit under subsection (3)(f)."

7. Page 8, line 22.

Following: "invalid"

Insert: "and must be surrendered to the issuing authority"

8. Page 8, line 23.

Following: "card"

Strike: "has been"

Insert: "is"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Kimberley, Lee.

Total 2

Excused: Cody, Harrington.

Total 2

Absent or not voting: Cobb.

Total 1

Representative Thomas excused at this time.

Representative Driscoll moved HB 70, second reading copy, be amended as follows:

1. Title, line 12.

Strike: "AND"

Following: "~~45-8-351~~"

Insert: ", AND 45-8-351"

2. Page 13.

Following: line 15

Insert: "(18) (a) Except as provided in subsection (18)(b), a permit-holder may not be prohibited by a local judicial order or by a local ordinance or resolution enacted pursuant to 45-8-351(2)(a) from carrying a concealed weapon in particular places.

(b) A permit issued in accordance with this section does not authorize a person to carry a concealed weapon into a police, sheriff's, or highway patrol station; a detention facility, prison, or jail; any courtroom or judge's chamber; any public meeting of an elected board, council, or commission provided that such board, council, or commission has adopted an ordinance or resolution that prohibits the bringing of a firearm into its meeting and has posted notice of the ordinance or resolution in a conspicuous place."

Renumber: subsequent subsections

3. Page 14, line 10.

Strike: "(18)"

Insert: "(19)"

4. Page 16.

Following: line 4

Insert: "Section 3. Section 45-8-351, MCA, is amended to read:

"45-8-351. Restriction on local government regulation of firearms.

(1) Except as provided in subsection (2), no county, city, town, consolidated local government, or other local government unit may prohibit, register, tax, license, or regulate the purchase, sale or other transfer (including delay in purchase, sale, or other transfer), ownership, possession, transportation, use, or unconcealed carrying of any rifle, shotgun, or handgun.

(2) (a) For public safety purposes, a city or town may regulate the discharge of rifles, shotguns, and handguns. A Except as provided in subsection (2)(b), a county, city, town, consolidated local government, or other local government unit has power to prevent and suppress the carrying of concealed weapons, the carrying of weapons to a public assembly, publicly owned building, park under its jurisdiction, or school, and the possession of firearms by convicted felons, adjudicated mental incompetents, illegal aliens, and minors.

(b) Except as provided in 45-8-319(18)(b), a local government may not regulate a person who has a valid permit to carry a concealed weapon issued pursuant to 45-8-319.

~~(b)(c)~~ Nothing contained herein shall allow any government to prohibit the legitimate display of firearms at shows or other public occasions by collectors and others, nor shall anything contained herein prohibit the legitimate transportation of firearms through any jurisdiction, whether in airports or otherwise."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aafedt, Blotkamp, Campbell, Clark, Compton, Daily, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Lee, McCormick, Menahan, Moore, R. Nelson, T. Nelson, O'Connell, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Stang, Swift, Swysgood, Thoft, Thomas, Whalen.

Total 50

Noes: Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Darko, Davis, DeMars, Gervais, Hansen, Harper, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McDonough, Mercer, L. Nelson, Nisbet, O'Keefe, Peck, Ramirez, Raney, Ream, Russell, Schye, Spring, Squires, Steppler, Stickney, Strizich, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 48

Paired: Thomas, Aye; Addy, No.

Excused: Cody, Harrington.

Total 2

Absent or not voting: None.

Total 0

Representative Harper moved HB 70, second reading copy, be amended as follows:

1. Title, lines 7 through 11.

Following: "HANDGUN;" on line 7

Strike: "PROVIDING" on line 7 through "PERMIT;" on line 11.

2. Title, line 11.

Following: "AMENDING"

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, line 12.

Strike: "AND 45-8-319"

4. Page 2, lines 2 through 4.

Following: "(6)"

Strike: subsection in its entirety

Insert: "the carrying of a concealed weapon while actively engaged in the sports of hunting or fishing outside the official boundaries of any city or town;"

5. Page 2, line 6.

Following: "45-8-319"

Insert: "authorized by"

Following: "state"

Insert: "a judge of a district court of this state"

6. Page 2.

Following: line 10

Strike: the remainder of the bill

Representative Driscoll moved amendment No. 4 be segregated from the motion. Motion carried.

Amendments 1, 2, 3, 5, and 6 failed. (42-56)

Amendment 4 passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Blotkamp, Cobb.
Total 2

Excused: Cody, Harrington, Thomas.
Total 3

Absent or not voting: None.
Total 0

Representative Lee moved HB 70, second reading copy, be amended.
Amendment failed. (25-72)

Representative Mercer moved Representative Driscoll's amendment to HB 70, second reading copy, be amended as follows:

1. Amendment 2, subsection (18)(b), line 9.

Following: "conspicuous place"

Insert: "; or any public assembly, publicly owned building, park under its jurisdiction, or school, providing that the local governing authority has adopted an ordinance or resolution containing the prohibition"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Cody, Harrington.
Total 2

Absent or not voting: Blotkamp, Cocchiarella.

Total 2

Representative Addy moved Representative Mercer's amendments to HB 70, second reading copy, be amended as follows:

1. Amendment 2, subsection (18)(b), line 10.

Following: "jurisdiction,"

Insert: "tavern,"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Clark, Gould, Hoffman, Phillips.

Total 4

Excused: Cody, Harrington.

Total 2

Absent or not voting: Blotkamp, Giacometto.

Total 2

Representative Driscoll moved HB 70, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Boharski, Campbell, Clark, Compton, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Kimberley, Knapp, Lee, Menahan, Mercer, Moore, R. Nelson, T. Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Simon, Simpkins, Smith, Spaeth, Spring, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen.

Total 61

Noes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Davis, Gervais, Hansen, Harper, Johnson, Kadas, Kilpatrick, Koehnke, Marks, McCormick, McDonough, L. Nelson, Nisbet, O'Keefe, Owens, Ream, Russell, Schye, Squires, Stepler, Stickney, Strizich, Wyatt, Zook, Mr. Speaker.

Total 37

Excused: Cody, Harrington.

Total 2

Absent or not voting: None.

Total 0

Representative Driscoll resumed the Chair at this time.

HB 169 - Representative Lee moved HB 169 do pass. Motion carried as follows:

Ayes: Aafedt, Bachini, Bardanouve, Blotkamp, Boharski, J. Brown, Campbell, Clark, Cobb, Compton, Connelly, Daily, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, McCormick, Menahan, Mercer, Moore, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Addy, Bradley, Brooke, D. Brown, Cocchiarella, Cohen, Darko, Driscoll, Gervais, Harper, Johnson, Kadas, Kilpatrick, Kimberley, McDonough, L. Nelson, O'Keefe, Ream, Squires, Stang, Strizich, Whalen.

Total 22

Excused: Cody, Harrington.

Total 2

Absent or not voting: Marks.

Total 1

HB 245 - Representative Quilici moved HB 245 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cohen, Compton, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Hannah, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kilpatrick, Kimberley, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Bardanouve, Boharski, Campbell, Cobb, Cocchiarella, DeBruycker, Glaser, Grinde, Guthrie, Hayne, Kadas, Kasten, Keller, Knapp, Koehnke, Lee, R. Nelson, Patterson.

Total 18

Excused: Cody, Harrington.

Total 2

Absent or not voting: Marks, McCormick.

Total 2

HJR 20 - Representative Spaeth moved HJR 20 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp,

Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cody, Harrington.

Total 2

Absent or not voting: Eudaily.

Total 1

HB 254 - Representative Eudaily moved HB 254, second reading copy, be amended. Amendment failed. (49-50)

Representative Thoft moved HB 254, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Compton, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Kadas.

Total 1

Excused: Cody, Harrington.

Total 2

Absent or not voting: Glaser.

Total 1

HB 283 - Representative Keller moved HB 283, second reading copy, be amended. Amendment failed. (47-48)

Representative Ellison moved HB 283, second reading copy, be amended. Amendment failed. (35-61)

Representative Compton excused at this time.

Representative Harper moved HB 283, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Good, Gould, Hansen, Hanson,

Harper, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Boharski, D. Brown, Campbell, Clark, Cobb, Ellison, Giacometto, Gilbert, Glaser, Grady, Grinde, Guthrie, Hannah, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Marks, R. Nelson, T. Nelson, Peterson, Ramirez, Rehberg, Simpkins, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 33

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: None.

Total 0

HB 291 - Representative Thomas moved HB 291 do pass.

Representative Thomas made a substitute motion consideration of HB 291 be placed below HB 572 on the second reading board.
Motion carried.

HB 447 - Representative Clark moved HB 447, second reading copy, be amended as follows:

1. Page 2, line 2.

Following: "than"

Strike: "50"

Insert: "25"

2. Page 3, line 2.

Following: "than"

Strike: "80,000"

Insert: "20,000"

3. Page 3, line 4.

Following: "area"

Insert: "must be approved by the state fire marshal."

Strike: "is" on line 4 through "feet." on line 17

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grinde, Guthrie, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: D. Brown, Hansen, Whalen.

Total 3

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Cohen, Grady, Hannah, Keller.

Total 4

Representative Marks excused at this time.

Representative Clark moved HB 447, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, J. Brown, Clark, Cobb, Connelly, Daily, Darko, DeBruycker, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Brooke, D. Brown, Campbell, Cocchiarella, Cohen, Davis, DeMars, Hansen, Kadas, Knapp, Ream, Strizich.

Total 12

Excused: Cody, Compton, Harrington, Marks.

Total 4

Absent or not voting: Bardanouve, O'Connell.

Total 2

HB 508 - Representative Darko moved HB 508, second reading copy, be amended as follows:

1. Page 3, lines 2 and 3.

Following: "employment." on line 2

Strike: "The employer shall continue, DURING THE PERIOD OF INJURY,"

Insert: "During the period of injury, the employer shall allow the injured worker the option of paying for"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Cody, Compton, Harrington, Marks.

Total 4

Absent or not voting: Bardanouve, Hayne, Iverson, T. Nelson, O'Connell.

Total 5

Representative Marks present at this time.

Representative Schye assumed the Chair at this time.

Representative Darko moved HB 508, as amended, do pass.

Representative Darko made a substitute motion consideration of HB 508 be placed below HB 639 on the second reading board.
Motion carried.

HB 511 - Representative Mercer moved HB 511 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Good, Guthrie.

Total 3

Excused: Cody, Harrington.

Total 2

Absent or not voting: Compton, Marks, Mercer.

Total 3

Representative Driscoll resumed the Chair at this time.

HB 536 - Representative J. Brown moved HB 536, second reading copy, be amended as follows:

1. Page 3, line 13.

Strike: "40"

Insert: "20"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Boharski, Clark, Kadas, Wallin.

Total 4

Representative J. Brown moved HB 536, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cobb, Cocchiarella.

Total 2

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Harper.

Total 1

HB 549 - Representative J. Brown moved consideration of HB 549 be passed for the day. Motion carried.

HB 561 - Representative Addy moved HB 561 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Compton, Gilbert.

Total 2

Paired: Eudaily, Aye; Compton, No.

Excused: Cody, Harrington.

Total 2

Absent or not voting: Blotkamp.

Total 1

HB 572 - Representative DeMars moved HB 572 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Blotkamp, Cohen.

Total 2

HB 291 - Representative Thomas moved HB 291, second reading copy, be amended as follows:

1. Page 2, line 11.

Following: "~~detained~~"

Insert: "agency or authority at whose instance the prisoner is detained when the agency or authority is not the county wherein the prisoner is being detained, or from the"

2. Page 2, line 13.

Following: "~~prisoner~~"

Insert: ", if the prisoner is financially able to pay,"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cocchiarella, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cohen.

Total 1

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Blotkamp, Clark, Cobb.

Total 3

Representative Thomas moved HB 291, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Whalen.

Total 1

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Blotkamp.

Total 1

HB 582 - Representative Eudaily moved consideration of HB 582 be placed below HB 597 on the second reading board. Motion carried.

HB 591 - Representative Phillips moved HB 591 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Blotkamp, Eudaily, Gervais, Harper, Iverson.

Total 5

HB 595 - Representative Russell moved HB 595, second reading copy, be amended as follows:

1. Title, line 9.

Following: "REQUIRING"

Insert: "THE DEPARTMENT TO CONSULT WITH"

2. Title, line 10.

Following: "MONTANA"

Strike: "TO"

Insert: "ON THE"

Following: "DESIGN"

Insert: "AND LOCATION OF"

Following: "MARKERS"

Strike: "AND" on line 10 through "LOCATIONS" on line 11

3. Page 1, lines 21 and 22.

Following: "Section 2."

Strike: "Indian" on line 21 through "markers" on line 22

Insert: "Marker location and design - consultation with tribes required"

4. Page 1, line 22.

Following: "(1)"

Strike: "Each"

Insert: "The department shall consult with each"

5. Page 1, line 24.

Strike: "shall designate"

Insert: "before designing the markers and designating"

6. Page 2, lines 2 and 3.

Following: "(2)"

Strike: "The" on line 2 through "Indians." on line 3

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Blotkamp, D. Brown, Clark.

Total 3

Representative Russell moved HB 595, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Glaser, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Campbell, DeBruycker, Giacometto, Gilbert, Good, Gould, Thoft.
Total 7

Excused: Cody, Compton, Harrington.
Total 3

Absent or not voting: Hannah, R. Nelson.
Total 2

HB 597 - Representative Darko moved HB 597 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Hansen, Hanson, Harper, Iverson, Johnson, Kadas, Kilpatrick, Kimberley, Knapp, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Campbell, Cobb, Ellison, Giacometto, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hayne, Hoffman, Kasten, Keller, Koehnke, Marks, T. Nelson, Rehberg, Rice, Spring, Swift, Swysgood, Thoft, Wallin.
Total 25

Excused: Cody, Compton, Harrington.
Total 3

Absent or not voting: O'Connell.
Total 1

HB 582 - Representative Eudaily moved HB 582, second reading copy, be amended as follows:

1. Page 4, line 20.

Following: “.”

Strike: remainder of line 20 through “.” on line 23

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott,

Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Cody, Compton, Harrington.
Total 3

Absent or not voting: Iverson.
Total 1

Representative Eudaily moved HB 582, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Darko, Davis, DeMars, Elliott, Eudaily, Glaser, Gould, Hansen, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, R. Nelson, Nisbet, O'Keefe, Owens, Peck, Peterson, Ramirez, Raney, Ream, Rice, Schye, Simon, Simpkins, Spaeth, Squires, Stang, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.
Total 66

Noes: Daily, DeBruycker, Driscoll, Ellison, Gervais, Giacometto, Gilbert, Good, Grady, Grinde, Guthrie, Hannah, Hanson, Iverson, Knapp, L. Nelson, T. Nelson, Patterson, Pavlovich, Phillips, Quilici, Rehberg, Roth, Russell, Smith, Spring, Stepler, Swysgood, Thoft, Whalen.
Total 30

Excused: Cody, Compton, Harrington.
Total 3

Absent or not voting: O'Connell.
Total 1

HB 600 - Representative Vincent moved HB 600, second reading copy, be amended as follows:

1. Page 7, line 5.
Following: "commerce,"
Insert: "health and environmental sciences,"
2. Page 8, line 2.
Following: "commerce,"
Insert: "health and environmental sciences,"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen,

Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Clark.

Total 1

Representative Vincent moved HB 600, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: None.

Total 0

HB 602 - Representative Roth moved HB 602 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, Owens, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Rice, Roth, Russell, Simon, Simpkins, Smith, Spaeth,

Spring, Squires, Steppler, Stickney, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Cocchiarella, Hansen, Harper, O'Connell, O'Keefe, Peck, Raney, Schye, Stang, Strizich, Whalen.

Total 11

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Kadas, Marks.

Total 2

HB 618 - Representative Schye moved consideration of HB 618 be passed for the day. Motion carried.

Representative D. Brown assumed the Chair at this time.

HB 621 - Representative T. Nelson moved HB 621, second reading copy, be amended as follows:

1. Page 10, line 5.

Following: "(e)"

Insert: "a person is seeking under 50-16-522 to exercise the patient's rights and"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Blotkamp, Darko, Hannah, Phillips, Quilici.

Total 5

Representative T. Nelson made a substitute motion that consideration of HB 621 be placed below HB 624 on the second reading board. Motion carried.

HB 622 - Representative Driscoll moved HB 622, second reading copy, be amended as follows:

1. Page 5, line 9.

Following: "0.0125%"

Strike: "0.3%"

Insert: "three-tenths of one percent"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Ellison, Eudaily, Hannah.

Total 3

Representative Driscoll moved HB 622, as amended, do pass.

Representative Driscoll made a substitute motion that consideration of HB 622 be passed for the day.

HB 624 - Representative Menahan moved HB 624 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Campbell, Ellison, Guthrie, Thomas.

Total 4

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Hansen, Kasten.

Total 2

HB 621 - Representative Wyatt moved HB 621, second reading copy, be amended as follows:

1. Page 2, line 18.

Strike: "except for"

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Knapp, Koehnke, Lee, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Blotkamp, Kimberley, McCormick, Stickney.

Total 4

Representative T. Nelson moved HB 621, as amended, do pass.
Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Johnson, Quilici.

Total 2

HB 630 - Representative Koehnke moved HB 630 do pass. Motion carried as follows:

Ayes: Bachini, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Daily, Davis, DeMars, Driscoll, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Keller, Kimberley, Knapp, Koehnke, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stickney, Strizich, Swift, Thomas, Wallin, Westlake, Zook, Mr. Speaker.

Total 63

Noes: Aafedt, Addy, Bardanouve, Blotkamp, Boharski, Cocchiarella, Cohen, Connelly, Darko, DeBruycker, Elliott, Ellison, Giacometto, Hannah, Johnson, Kadas, Kasten, Kilpatrick, Lee, Marks, Nisbet, Owens, Ramirez, Ream, Rehberg, Rice, Roth, Stang, Stepler, Swysgood, Thoft, Whalen, Wyatt.

Total 33

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Clark.

Total 1

HB 639 - Representative Driscoll moved HB 639 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Glaser, Gould, Grady, Hannah, Hansen, Harper, Johnson, Kadas, Kilpatrick, Kimberley, Koehnke, McCormick, McDonough, Menahan, Moore, L. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 54

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Good, Grinde, Guthrie, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Lee, Marks, Mercer, R. Nelson, T. Nelson, Owens, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Zook.

Total 44

Paired: O'Keefe, Aye; Compton, No.

Excused: Cody, Harrington.

Total 2

Absent or not voting: None.

Total 0

Representative Driscoll resumed the Chair at this time.

HB 508 - Representative Darko moved HB 508, second reading copy, be amended as follows:

1. Page 2, line 13.

Following: "given"

Strike: the remainder of subsection (2)

Insert: "an absolute preference over other applicants for a position that becomes vacant if the position is consistent with the worker's physical condition and vocational abilities."

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore,

L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Compton.

Total 1

Excused: Cody, Harrington.

Total 2

Absent or not voting: Clark.

Total 1

Representative Darko moved HB 508, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Gervais, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Connell, O'Keefe, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Ellison, Giacometto, Gilbert, Koehnke, T. Nelson, Owens, Spring.

Total 7

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: None.

Total 0

HB 644 - Representative Quilici moved consideration of HB 644 be passed for the day. Motion carried.

HB 645 - Representative Addy moved HB 645, second reading copy, be amended as follows:

1. Title, line 10.

Following: "MCA"

Strike: "AND REPEALING SECTIONS 31-1-403 THROUGH 31-1-406, MCA"

2. Page 2, line 23.

Following: "requested"

Strike: "its surrender as provided in [section 3]"

Insert: "him to hold the property for 30 days"

3. Page 3, line 5.

Following: "shall"

Strike: "surrender"

Insert: "hold"

Following: "the property"

Insert: "for 30 days and shall surrender the property"

4. Page 3, line 6.

Following: "upon"

Strike: "request of the"

Insert: "service of a search warrant by a"

Following: the second "peace officer"

Insert: "pursuant to 31-1-401 through 31-1-406."

5. Page 3, line 7.

Strike: the section in its entirety

Renumber: subsequent section

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: None.

Total 0

Representative Addy moved HB 645, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Ramirez.

Total 1

HB 647 - Representative Kadas moved consideration of HB 647 be placed below HB 689 on the second reading board. Motion carried.

HB 649 - Representative Koehnke moved HB 649 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, J. Brown, Campbell, Clark, Cobb, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 88

Noes: Brooke, Cocchiarella, Driscoll, Lee, McDonough, Nisbet, Wyatt.
Total 7

Excused: Cody, Compton, Harrington.
Total 3

Absent or not voting: D. Brown, Iverson.
Total 2

HB 655 - Representative Harper moved HB 655 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Cobb, Gilbert, Good, Grinde, Guthrie, Hoffman, Koehnke, Simpkins, Swift, Swysgood.
Total 10

Excused: Cody, Compton, Harrington.
Total 3

Absent or not voting: None.
Total 0

HB 656 - Representative Wallin moved HB 656 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: O'Keefe.

Total 1

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Marks.

Total 1

HB 660 - Representative Mercer moved HB 660, second reading copy, be amended as follows:

1. Page 2, lines 21 and 22.

Strike: "and" on line 21 through "," on line 22

Insert: "or the plaintiff does not prevail"

2. Page 2, line 22.

Following: "court"

Strike: "may"

Insert: "shall"

Amendment passed as follows:

Ayes: Aafedt, Addy, Blotkamp, Boharski, Bradley, Brooke, J. Brown, Campbell, Clark, Cobb, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, McDonough, Menahan, Mercer, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Cocchiarella, Elliott, Gervais, Moore, Ream, Whalen.

Total 6

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Bachini, Bardanouve, D. Brown, Marks.

Total 4

Representative Moore moved consideration of HB 660 be passed for the day. Motion carried.

HB 662 - Representative Rice moved HB 662 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Bardanouve, Koehnke.

Total 2

HB 668 - Representative McDonough moved HB 668 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: DeBruycker, Giacometto, Hannah, Hayne, Lee.

Total 5

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Spring, Wallin.

Total 2

HB 671 - Representative Patterson moved HB 671 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Koehnke, Lee,

Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Campbell.

Total 1

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Knapp, Spring.

Total 2

HB 678 - Representative Harper moved HB 678, second reading copy, be amended as follows:

1. Page 3, line 11.

Following: “(9)”

Insert: “(a)”

2. Page 3, lines 15 through 17.

Strike: “Activities” on line 15 through “practices” on line 17

Insert: “(b) The term does not include activities for the purpose of:

(i) the operation of a nursery or Christmas tree farm;

(ii) the harvest of Christmas trees;

(iii) the harvest of firewood; or

(iv) the cutting of trees for personal use by an owner or operator.”

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Spring.

Total 1

Representative Gilbert moved HB 678, as amended, do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 92

Noes: Campbell, Cobb, Guthrie, Swift, Wyatt.

Total 5

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: None.

Total 0

HB 680 - Representative Grady moved HB 680 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Campbell, Giacometto, Swysgood.

Total 3

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Boharski, D. Brown, Glaser, Hannah.

Total 4

HB 683 - Representative Marks moved HB 683 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith,

Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Cody, Compton, Harrington.
Total 3

Absent or not voting: Hannah.
Total 1

HB 684 - Representative Grinde moved HB 684 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Giacometto, Phillips, Stang, Swysgood.
Total 4

Excused: Cody, Compton, Harrington.
Total 3

Absent or not voting: None.
Total 0

HB 688 - Representative Simon moved HB 688 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Eudaily, Giacometto, Gilbert, Grady, Grinde, Guthrie, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Marks, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, Nisbet, O'Keefe, Owens, Patterson, Pavlovich, Peterson, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Spaeth, Spring, Squires, Stang, Stepler, Strizich, Swift, Swysgood, Thoft, Thomas, Westlake, Wyatt, Mr. Speaker.
Total 71

Noes: Bachini, Boharski, Campbell, Ellison, Gervais, Glaser, Good, Gould, Hannah, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McCormick, T. Nelson, O'Connell, Peck, Phillips, Rice, Stickney, Wallin, Whalen, Zook.
Total 25

Excused: Cody, Compton, Harrington.
Total 3

Absent or not voting: Smith.

Total 1

HB 689 - Representative Quilici moved consideration of HB 689 be passed for the day. Motion carried.

HB 647 - Representative Kadas moved consideration of HB 647 be passed for the day for the purpose of amendment. Motion carried.

HB 690 - Representative Spaeth moved HB 690 do pass. Motion carried as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, D. Brown, J. Brown, Campbell, Clark, Cobb, Connelly, Daily, Darko, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, Owens, Patterson, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.

Total 84

Noes: Brooke, Cocchiarella, Cohen, Davis, Hansen, Harper, Hoffman, Koehnke, O'Keefe, Ranev, Rice, Stang, Wyatt.

Total 13

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: None.

Total 0

HB 694 - Representative Squires moved consideration of HB 694 be passed for the day. Motion carried.

HB 695 - Representative Russell moved HB 695, second reading copy, be amended as follows:

1. Title, lines 12 and 13.

Following: "39-51-2104"

Strike: ", "

Following: "~~39-51-2105,~~"

Insert: "AND"

Following: "39-51-2305,"

Strike: "AND 39-51-2307,"

2. Page 5, lines 1 through 19.

Strike: section 3 in its entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Aafedt, Addy, Bachini, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeBruycker, DeMars, Driscoll, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, Marks, McCormick, McDonough, Menahan, Mercer, Moore,

L. Nelson, R. Nelson, T. Nelson, Nisbet, O'Connell, O'Keefe, Owens, Patterson, Pavlovich, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Roth, Russell, Schye, Simon, Simpkins, Smith, Spaeth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swift, Swysgood, Thoft, Thomas, Wallin, Westlake, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.

Total 0

Excused: Cody, Compton, Harrington.

Total 3

Absent or not voting: Clark, Peterson.

Total 2

Representative Whalen moved HB 695, as amended, do pass. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Blotkamp, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, DeMars, Driscoll, Elliott, Gervais, Hansen, Harper, Harrington, Johnson, Kadas, Kilpatrick, Kimberley, McCormick, McDonough, Menahan, Moore, Nisbet, O'Connell, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Rice, Russell, Schye, Spaeth, Squires, Stang, Stickney, Strizich, Westlake, Whalen, Wyatt, Mr. Speaker.
Total 49

Noes: Aafedt, Boharski, Campbell, Clark, Cobb, Compton, DeBruycker, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hanson, Hayne, Hoffman, Iverson, Kasten, Keller, Knapp, Koehnke, Lee, Marks, Mercer, L. Nelson, R. Nelson, T. Nelson, Owens, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Simon, Simpkins, Smith, Spring, Stepler, Swift, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 50

Paired: Harrington, Menahan, Ayes; Compton, Giacometto, Noes.

Excused: Cody.

Total 1

Absent or not voting: None.

Total 0

Representative Harper moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (87-7)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/20/89

Correctly printed: HB 672, HB 675, HB 685, HB 686, HB 704, HB 707, HB 727.

Correctly engrossed: HB 377, HB 437, HB 438, HB 524, HB 529, HB 541, HB 544, HB 576, HB 594, HB 598, HB 604, HB 606, HB 614, HB 650, HB 661, HB 663, HB 691, HJR 21, HJR 24, HJR 25.

Signed by the Speaker at 1:30 p.m., 2/20/89: HB 17, HB 37, HB 64, HB 91, HB 137.

MOTIONS

Representative Spaeth moved HB 234, HB 535, HB 543, HB 600, HB 601, HB 604, HB 609, HB 614, HB 653, and HB 663 be taken from engrossing and rereferred to the Committee on Appropriations.

Representative O'Connell moved to segregate HB 604 from the motion. Motion carried.

Thereupon, the motion to rerefer HB 234, HB 535, HB 543, HB 600, HB 601, HB 609, HB 614, HB 653, and HB 663 carried.

Thereafter, the motion to rerefer HB 604 failed. (47-49)

Representative Driscoll moved HB 622 be taken from second reading and HB 690 be taken from engrossing and rereferred to the Committee on Taxation. Motion carried.

Representative Grinde moved he be allowed to change his vote on Representative Eudaily's amendment to HB 254, second reading, from no to yes. Motion carried.

Representative J. Brown moved HB 549 be taken from second reading and rereferred to the Committee on Local Government. Motion carried.

Representative Addy moved he be allowed to change his vote on HB 682, second reading, from yes to no. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved the House adjourn until 8:00 a.m., Tuesday, February 21, 1989.

Motion carried.

House adjourned at 7:17 p.m.

John Vincent, Speaker

Larry Fasbender, Chief Clerk

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